



## COLONIAL LAW



# COLONIAL LAW

A BIBLIOGRAPHY  
WITH SPECIAL REFERENCE TO  
NATIVE AFRICAN SYSTEMS OF  
LAW AND LAND TENURE

*By*

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## EDITOR'S PREFACE

THIS is the fifth of a series of bibliographies and reading lists which have been produced with the help of money provided by Nuffield College. Their original purpose was to provide working lists for the use of members of the Colonial Services, but when a student of the status of Dr. Meek agreed to undertake this list it naturally and most advantageously developed into a bibliography. Even so, the detailed arrangement of the titles should allow the practical and hard-worked colonial administrator to find the material that may serve his needs.

The great importance of the subject covered in this bibliography will be clear to all who have any knowledge of colonial affairs. The relationship between Britain and the colonial peoples in the field of law has produced very deep effects, but it has also given rise to problems and ambiguities which urgently need study. It is strange that a people so proud of their achievement in the sphere of law as the British should have given so little serious attention to the wider significance of this side of their imperial responsibilities. Dr. Meek can, unfortunately, list few books that deal directly with the problem, though there are many which provide the anthropological data upon indigenous systems. It may be hoped that his bibliography will serve as an invitation to comparative and analytic study of the subject.

The other lists in the series are as follows:

1. *Colonial Administration*. (1s. 9d., 2s. post free. This is a very brief and general list.)
2. *Colonial Economics*. By Miss Penelope Bower. (1s. 6d., 1s. 3d. post free.)
3. *Urban Conditions in Africa*. By Monsieur Jean Comhaire. (2s. 6d., 2s. 3d. post free.)
4. *Rural Conditions and Betterment in the British Colonies*. By Dr. Philip Mayer. (Published by the Oxford University Press. 4s. 6d.)

Application for the first three reading lists should be made to the Institute of Colonial Studies, 10 Bardwell Road, Oxford.

The task of checking these lists and seeing them through the press has been carried out in the Institute of Colonial Studies where it has been entrusted to Mr. J. A. Hutton.

August 1947

MARGERY PERHAM



## PREFACE

THIS bibliography has been prepared for the use of members of the Colonial Service and of any others who may be interested in the law of the British colonial territories and its administration. It is particularly concerned with the indigenous systems of law and custom in Africa, and since these are developing rapidly under new social and economic conditions a good deal of material has been included on legal theory and history, sociological jurisprudence, and the development of the legal systems of India and Ceylon under British rule. Extensive use has also been made of South African data, a full bibliography of which was published under the editorship of Professor Schapera by the Oxford University Press in 1941,<sup>1</sup> and a shorter bibliography in *Bantu Studies* by Mr. Julius Lewin.<sup>2</sup>

Originally it was intended that the bibliography should be a brief one; but as some students are likely to be more interested than others in particular branches of the subject, or in particular territories, it seemed advisable to present a fairly comprehensive list, indicating the more important works by an asterisk, and the most important by a double asterisk.

I must express my gratitude to Dr. S. Vesey-Fitzgerald, Professor Raymond Firth, Dr. Audrey Richards, Dr. J. S. Furnivall, and Dr. Felhoen Kraal for a number of valuable suggestions; also to Mr. J. A. Hutton for undertaking the tedious task of seeing the bibliography through the press.

It will be observed that the arrangement of the headings has not followed a uniform principle, being sometimes functional and sometimes territorial. This arrangement, if illogical, seemed to be the most convenient.

<sup>1</sup> *Select Bibliography of South African Native Life Problems*, compiled for the Inter-University Committee for African Studies under the direction of I. Schapera, London, 1941.

<sup>2</sup> *A Short Survey of Native Law in South Africa*, by Julius Lewin. Reprinted from *Bantu Studies*, June 1941, Johannesburg (The Witwatersrand University Press)



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## INTRODUCTORY NOTES

### A. *Notes on Periodicals:*

*Africa* (1928- ) is published quarterly by the Oxford University Press for the International African Institute.

*African Studies*, formerly *Bantu Studies*, is published quarterly from the Department of Bantu Studies of the University of Witwatersrand, Johannesburg. The English agents are Kegan Paul, Trench, Trubner & Co. Ltd., 38 Great Russell Street, London, W.C. 1.

*Bantu Studies*, see *African Studies*.

*Man* is the monthly magazine of the Royal Anthropological Institute.

*Nada* (1923- ) is published annually by the Native Affairs Department of the Southern Rhodesian Government.

*The Journal of Comparative Legislation and International Law* is published serially in London for the Society of Comparative Legislation. It includes an annual review of the most important colonial legislation. The Society of Comparative Legislation has done much to extend the knowledge of native law, and its work is not confined in its interest to lawyers and legislators, but provides material for students of social conditions and of every aspect of the life of the community.

*The Journal of the Royal African Society*, now *African Affairs*, is published quarterly by Macmillan & Co., London.

*The Journal of the Royal Anthropological Institute* is published twice yearly by the R.A. Institute, 20 Bedford Square, London, W.C. 1.

*The Law Quarterly* is published quarterly in London.

*The Modern Law Review* is published quarterly in London.

*Race Relations*. A quarterly journal published by the South African Institute of Race Relations, P.O. Box 97, Johannesburg.

*The Rhodes-Livingstone Institute Journal* is published twice yearly at Livingstone, N. Rhodesia (English agents B. H. Blackwell, Oxford). The *Rhodes-Livingstone Papers* frequently deal with aspects of native law in Africa.

B. *Official Handbooks*. The official handbooks of the various colonial governments usually contain a chapter on the local judicial system. Thus in the *Uganda Handbook* (by H. B. Thomas and R. Scott) there is a chapter entitled 'Justice' with sections on (a) The History of the Courts, (b) The Law in force in Uganda, (c) The Institution of British Courts, (d) The High Court, (e) Special District Courts, (f) District Courts, (g) Appeals,

## INTRODUCTORY NOTES

(h) Legal Practitioners, (i) Native Courts, (j) Native Law, (k) Muhammadan Law, and (l) Prisons.

C. *The Dominions and Colonial Office List* contains much information on the history, political and administrative structure, and legal systems of the various dependencies.

D. The *Annual Reports* on the Social and Economic Progress of the Peoples of the various territories include a chapter describing the judicial organization of the colony. These reports also include a chapter describing the more important ordinances enacted during the year. In addition, separate reports are issued annually by the Judicial and Legal Departments of the local governments, and by the Police and Prison Departments.

E. The *Statutes* of the various colonies are available in printed volumes, which are periodically revised so as to embody all later amendments and additions.<sup>1</sup> Subordinate legislation is sometimes compiled annually and issued in supplementary volumes. Where this is not done the Statutory Rules and Orders made under the various ordinances will be found in the local government gazettes. The increasing output of subordinate or administrative legislation has in most colonial territories caused large arrears in the work of consolidation. On the other hand, large sections of the law have been codified, and in most colonial territories there are Codes of Criminal Law and Procedure, Evidence, and Civil Procedure. Native law and custom have seldom been reduced to the form of written statutes.

F. *Law Reports*. Most of the colonies publish reports of the more important cases tried each year in the Superior Courts of their territory.<sup>2</sup> The decisions of the East and West African Courts of Appeal are also recorded in printed volumes. The decisions of the Judicial Committee of the Privy Council are published annually and provide the most authoritative source for the study of colonial law. For digests of Native Appeal Court Cases in the Transkeian Territories of South Africa, the Cape and Orange Free State Divisions, Natal, Transvaal, and Southern Rhodesia, the reader should consult the *Short Survey of Native Law in South Africa*, by Julius Lewin, pp. 80-2 (reprinted from *Bantu Studies*, June 1941).

<sup>1</sup> See, for example, (a) *The Laws of Jamaica in force on Aug. 1, 1938*. Rev. ed. prepared by Sir H. I. C. Brown, 7 vols., Kingston, 1938; or (b) *The Laws of the Gold Coast* (including Togoland under British Mandate), prepared by L. E. V. M'Carthy, rev. ed., 4 vols., Accra, 1937. Supplements, Accra, 1938, 1939.

<sup>2</sup> See, for example, *Gold Coast Law Reports Selected Judgements of the Divisional Courts of the Gold Coast, 1 April 1931 to 31 December 1937*, Accra, 1939.

## LIST OF ABBREVIATED REFERENCES

<i>Afr. Obs.</i>	African Observer
<i>Enc. Brit.</i>	Encyclopædia Britannica, 14th ed.
<i>Enc. Soc. Sci.</i>	Encyclopædia of the Social Sciences
<i>Geog. Journ.</i>	Geographical Journal
<i>Inst. Col. Int.</i>	Institut Colonial International
<i>Int. Lab. Rev.</i>	International Labour Review
<i>J. Comp. Leg.</i>	Journal of Comparative Legislation
<i>J. E. Afr. Nat. Hist. Soc.</i>	Journal of the East African Natural History Society
<i>J. Pol. Soc.</i>	Journal of the Polynesian Society
<i>J. (R.) Afr. Soc.</i>	Journal of the (Royal) African Society
<i>J. R. Anthropol. Inst.</i>	Journal of the Royal Anthropological Institute
<i>L. Q. R.</i>	Law Quarterly Review
<i>Leg. Co P.</i>	Legislative Council Paper
<i>S. P.</i>	Sessional Paper
<i>S. Afr. J. Sci.</i>	South African Journal of Science
<i>S. Afr. Law J.</i>	South African Law Journal
<i>Trop. Ag.</i>	Tropical Agriculture
<i>Ug. J.</i>	Uganda Journal



## I. GENERAL

1. APPASAMY, Paul. Law Applicable to Christians. *Madras, &c.*, 1928. 311 pp.  
Deals with the personal law applicable to Christians in India. A useful handbook for the study of similar problems in the colonies.
2. BARKER, Sir E. Ideas and Ideals of the British Empire. *Cambridge*, 1941. viii+167 pp.
3. BEAUCHAMP, J. J. The Jurisprudence of the Privy Council. *Montreal*, 1891. xiv+920 pp.  
Appendix A has some useful remarks on British colonies and the nature of their civil law.
4. BENTWICH, N. de M. The Practice of the Privy Council in Judicial Matters. 3rd ed. *London*, 1937. 353 pp.
- \*\* 5. BERTRAM, A. The Colonial Service. *Cambridge*, 1930. xii+291 pp.  
Chapter V deals with the organization of Law and Justice in the Colonial Empire, Chapter VI with the Courts, and Chapter VII with the Legislature.
6. BOYES, G. N. W. The Law in St. Lucia. *Law Journal*, 76, p. 172. 1933.
7. BRADDELL, R. St. J. The Law of the Straits Settlements. *Singapore*, 1915. xi+278 pp.  
Out of date, but still useful. Chapter I deals with the legal history of the Straits Settlements, and Chapter II with modifications of English law.
8. BRITISH GUIANA. Report of Committee appointed to consider what English statutes should be adopted in the Colony to enable the law to be altered from Roman-Dutch to English, 1916. (Nunan, J. J., Ch.) *Georgetown*, 1916. 132 pp.
9. BROWNE, G. St. J. Orde. British Justice and the African. *J. R. Afr. Soc.* 32, pp. 148-59, 280-93. 1933.
- \*\*10. BRYCE, James. Studies in History and Jurisprudence. *Oxford*, 1901. 2 vols. xxii+553: xvi+543 pp.  
Note especially Vol. I, Chap. II, 'The Extension of Roman and English law throughout the World', pp. 85-144.
- \*\*11. BUELL, R. L. The Native Problem in Africa. *New York*, 1928, 2 vols. 1045: 1101 pp.  
See especially the various sections dealing with the judicial systems. Also Vol. I, pp. 175-8 (for criticism of the Basuto Courts and an account of the laws of Lerotholi) and Vol. I, Chap. 61, pp. 1002-20 (for the administration of justice in French West Africa).
12. BURGE, W. Commentaries on Colonial and Foreign Laws. New ed. by Sir A. Wood Renton and Sir J. Phillimore. 4 vols. 1907-14. Vol. IV, Part 2, 1928.
13. BURNS, A. C. History of Nigeria. 3rd ed. *London*, 1942. 360 pp.  
Chapter XXII deals with the judicial system of Nigeria.

## GENERAL

14. BUSHE, H. Grattan. Criminal Justice in East Africa. *J. R. Afr. Soc.* 34, pp. 117-28. 1935.
15. CAPE OF GOOD HOPE. Proceedings and Evidence taken by the Commission on Native Affairs. *Grahamstown*, 1865. xxvii+177+213+86 pp.  
     The minutes provide valuable information on the treatment of native customary law.
16. CEYLON. Report of the Sub-Committee on Commercial Legislation. *S. P. No. X* of 1939. *Colombo*, 1939. 15 pp.
17. CHARLES, Pierre. Le problème des centres extra-coutumiers et quelques-uns de ses aspects. *Inst. Col. Int., Compte Rendu de la XXIII<sup>me</sup> Session tenue à Londres*, 1936. *Brussels*, 1937. Annexe II, pp. 27-180. English summary, Annexe VII, pp. 335-68.
18. CLARK, Charles. A Summary of Colonial Law, the Practice of the Court of Appeals from the Plantations and of the Laws and their Administration in all the Colonies; with Charters of Justice, Orders in Council, &c. *London*, 1834. 746 pp.
- \* 19. COLONIAL OFFICE. The Colonial Legal Service. Colonial Service Recruitment Memorandum No. 6. 5th ed. *London*, 1938. 58 pp.
20. CYPRUS. The Mukhtar's Handbook. *Nicosia*, 1929. 52 pp.
21. DARESTE, P. Traité de droit colonial. *Paris*, 1931-2. 2 vols. xxiii+709: xxiii+880 pp.
22. DE HART, J. The Judicial System of the Sierra Leone Protectorate. *Freetown*, 1926. 24 pp.
- \*\* 23. DE KAT ANGELINO, A. D. A. Colonial Policy. Abridged tr. by G. J. Renier, in collaboration with the author. *The Hague*, 1931. 2 vols. 530: 674 pp.  
     See especially Vol. I, pp. 72-7, 115-65, and Vol. II, pp. 130-93 ('The Administration of Justice').
24. DE KIEWIET, C. W. Social and Economic Developments in Native Tribal Life. In 'The Cambridge History of the British Empire'. *Cambridge*, 1936. Vol. VIII, 'South Africa': Chap. XXX, pp. 808-28.  
     Especially pp. 824-8, which deal with Native versus European law and the decay of tribal controls.
25. DOORLY, A. N., British Magistrates in East and West Africa. *J. Comp. Leg.* 3rd Series, 27, Pts. III and IV, pp. 87-92. 1945.
26. EAST AFRICA. Technical Conferences of the East African Dependencies. Report by the Conference of Law Officers, 1926. *Nairobi*, 1926. 43 pp.
27. EAST AFRICA. Report of the Commission of Inquiry into the Administration of Justice in Kenya, Uganda and the Tanganyika Territory in Criminal Matters, May, 1933, and Correspondence arising out of the Report. Cmd. 4623. *London*, 1934. 160 pp. Minutes of Evidence and Memoranda. Col. No. 96. *London*, 1934. 221 pp.

# GENERAL

28. EAST AFRICA. Report of Conference of Law Officers of East African Dependencies. (Bruce, T. D. H., Ch.) *Nairobi*, 1933. 71 pp.
29. EDWARDS, David. Examples of Empire Law. *Privately printed*, 1927. 48 pp.
30. EGERTON, H. E. A Short History of British Colonial Policy. 1606-1909. 9th ed. rev. by A. P. Newton. *London*, 1932. xiii+516 pp.
31. FIDDES, Sir G. The Dominions and Colonial Offices. *London and New York*, 1926. 288 pp.
32. FIJI. Divorce and Matrimonial Jurisdiction. *Fiji Leg. Co. P.* No. 29 of 1933. 2 pp.
33. FURNIVALL, J. S. Netherlands India. *Cambridge*, 1939. 502 pp.
34. GIRAULT, A. Principes de Colonisation et de Législation Coloniale. 5th ed. *Paris*, 1926-30. 5 vols. Vol. IV, L'Algérie, 7th ed. rev. by L. Milliot. *Paris*, 1938. xi+494 pp. Vol. V, La Tunisie et le Maroc, 6th ed. rev. by L. Milliot. *Paris*, 1936. xi+637 pp.
35. GRIFFITH, W. B. A Digest of and Index to the reports of Cases decided in the Supreme Court of the Gold Coast Colony. *Accra*, 1935. xxvi+194 pp.
36. GRIFFITH, W. B. A Note on the History of the British Courts in the Gold Coast Colony, with a brief account of the changes in the Constitution of the Colony. *Accra*, 1936. 34 pp.
- \*\*37. HAILEY, Lord. An African Survey. *London, &c.*, 1938. pp. 261-315 and 1643. See also Index 'Law'.
38. HAMILTON, Sir R. W. Criminal Justice in East Africa. *J. R. Afr. Soc.* 34, pp. 7-26. 1935.
39. HAVERS, C. R. Report of Commission of Inquiry into Expenses incurred by Litigants in the Courts of the Gold Coast and Indebtedness caused thereby. *Accra*, 1945. 47 pp.
40. HAYMAN, J. D. Legal Aid for the Poor in South Africa. *J. Comp. Leg.* 3rd Series. 26, Pts. III and IV, pp. 12-16. 1944.
- \*41. HONE, H. R. The Native of Uganda and The Criminal Law. *Ug. J.* 6, pp. 1-16. *Kampala*, July 1938. Also *J. Comp. Leg.* 3rd Series. 21, Pt. I, pp. 179-97. 1939.
42. HOOPER, C. A. The Commercial Law of Iraq and Palestine. *Baghdad*, 1929. 277 pp.  

Iraqi commercial law is based on French law. This book has been included as it might be of use in Muhammadan territories such as Northern Nigeria where commercial law is now being rapidly developed.
43. HOOPER, C. A. The Civil Law of Palestine and Trans-Jordan. Vol. I, Mejelle. *Jerusalem*, 1933. Reprinted *London*, 1934. xi+511 pp.

## GENERAL

44. HOPKINSON, E. Notes on the Laws of the Gambia Protectorate. 1885-1923. *Bathurst*, 1926. 41 pp.
45. HOWARD, J. H. The Laws of the British Colonies in the West Indies and other parts of America concerning Real and Personal Property and Manumission of Slaves, with a view of the Constitution of each colony. *London*, 1827. 2 vols. xvi+598: 386 pp.
46. ILBERT, Sir C. The Government of India. 3rd ed. *Oxford*, 1915. 499 pp.  
     Chapter IV (The Application of English Law to Natives of India) and Chapter V (British Jurisdiction in Native States) are of particular importance.
47. ILBERT, Sir C. Legislative Methods and Forms. *Oxford*, 1901. xxxi+372 pp.  
     See especially Chapter IX (Indian and Colonial Legislation).
48. KENYA. Report of Select Committee of Legislative Council appointed to consider and report on the provisions of a Bill to make provisions for the procedure to be followed in Criminal Cases. *Nairobi*, 1930. 10 pp.  
     Not of much interest.
49. KRAUSE, F. E. T. Crime and its Punishment. *S. Afr. J. Sci.* 36, pp. 104-31. 1939.
50. LASKI, H. Grammar of Politics. 4th ed. *London*, 1938. 672 pp.  
     Useful as a background for the study of colonial and primitive law.
51. LIEBESNEY, H. J. The Government of French North Africa. *African Handbooks* No. 1. *University of Pennsylvania Press*, 1943. 130 pp.  
     Pp. 105-24 contain a useful review of the legal systems in the French African dependencies, as well as a guide to the legal sources. See also pp. 39-51, 66-74, and 93-104.
52. LINDSAY, Benjamin. Law. In 'Modern India and the West', ed. by L. S. S. O'Malley. *London, &c.*, 1941. pp. 107-37.
53. LUGARD, Sir F. D. The Dual Mandate in British Tropical Africa. 4th ed. *Edinburgh*, 1929. pp. 536-69.
54. MALVEZZI, Count A. The Evolution of Colonial Law. An Italian View. *United Empire*, 19, pp. 582-7. 1928.  
     A translation of a portion of the second part of Chapter IV of the entry below.
55. MALVEZZI, Count A. Elementi di Diritto Coloniale. *Padova*, 1928. xi+288 pp.
56. MANNING, H. T. British Colonial Government after the American Revolution. 1782-1820. *New Haven*, 1933. xii+568 pp.
57. MARTIN, E. C. The British West African Settlements, 1750-1821. *London*, 1927. xiv+186 pp.
58. MELLAND, F. H. Africa and the Law. *Afr. Obs.* 5, No. 5, pp. 31-5. *Bulawayo*, 1936.

# GENERAL

59. MELLAND, F. H., and YOUNG, Cullen. *African Dilemma. London, 1937. 171 pp.*
60. MINTY, L. le M. *Foreign Law in the British Empire. French Law in the British Empire. The Round Table, 23, pp. 362-82. 1933.*
61. NAPIER, Sir W. *An Introduction to the Study of the Law administered in the Colony of the Straits Settlements. Singapore, 1898. x+52 pp.*
62. NATAL. *Report of the Native Suitors' Commission, Colony of Natal, 1903. 33 pp. Published as Government Notice No. 193 of 1903.*  
'Valuable, especially the minority report by S. O. Samuelson, for the light it throws on native attitudes to lawyers and to litigation and its costs, and on the origin and object of the Natal Code' (Lewin).
63. PEREIRA, J. C. W. *The Laws of Ceylon. 2nd ed. Colombo, 1913. 850 pp.*  
An important work for the study of colonial jurisprudence and the interrelation of different systems of law.
64. PERHAM, M. *Native Administration in Nigeria. London, &c., 1937. 404 pp.*  
See particularly Chapters V, VI, VII, IX, XVI, and XX.
65. PRETORIA JOINT COUNCIL OF NATIVES AND EUROPEANS. *Memo-randum on the Administration of Justice in Africa, with Special Reference to the Native Population. Pretoria, 1928. 18 pp.*
66. RANKIN, Sir G. C. *The Background of Indian Law. London, 1946. 223 pp.*
67. RATTIGAN, W. H. *A Digest of Civil Law for the Punjab, chiefly based on the Customary Law as at present ascertained. 7th ed. revised up to June, 1909, by H. A. B. Rattigan. London and Lahore, 1909. xlvii+384 pp.*
68. REDWAR, H. W. Hayes. *Comments on Some Ordinances of the Gold Coast Colony, with Notes on a few Decided Cases. London, 1909. 296 pp.*  
An extremely useful book for the study of the interaction of English and Native Law in the Gold Coast.
69. RENNER, P. A. (ed.) *Reports, Notes of Cases and Proceedings and Judgments in Appeals . . . relating to the Gold Coast Colony, and the Colony of Nigeria, from 1861 to 1914. Collected by P. A. Renner. London, 1915. 2 vols. 839 pp.*
70. RENTON, Sir A. Wood. *Le Droit français dans l'Empire Britannique. Communication faite à la séance solennelle de l'Académie Internationale de Droit Comparé au Palais de la Paix à la Haye, le 7 août, 1931. Paris, 1932. 25 pp.*  
A pamphlet dealing with the use of French law in the Channel Islands, Quebec, St. Lucia, Mauritius, and the Seychelles
71. ROBERTS, C. C. *The African Native under the English System of Penal Law. J. Comp. Leg., 3rd Series, 15, Pt. I, pp. 169-75. 1933.*

## GENERAL

72. ROBERTS, C. C. Tangled Justice. Some Reasons for a Change of Policy in Africa. *London*, 1937. 153 pp.
73. ROGERS, H. Native Administration in the Union of South Africa. An official publication. *Johannesburg*, 1933. (Special number of *Bantu Studies*.) xvi+371 pp.
74. RUSSELL, Sir Alison. Legislative Drafting and Forms. 3rd ed. *London*, 1931. 504 pp.  
This work is intended for practitioners and officials concerned in the initiation and drafting of legislation, but contains also some very useful general observations relating to Colonial Law
75. RUSSELL, Sir Alison. The Magistrate. *London*, 1945. 162 pp.  
A practical handbook, by a former Chief Justice of Tanganyika Territory, for the use of Magistrates and Justices of the Peace in Crown Colonies and Protectorates.
76. SCHAPER, I. (ed.) Western Civilization and the Natives of South Africa. *London*, 1934. 312 pp.  
See especially pp. 25-8, 48, 59, 207, 232, 243, 246, 248, 289-94.
77. SCHAPER, I. (ed.) Select Bibliography of South African Native Life and Problems. Compiled for the inter-university Committee for African Studies under the direction of I. Schaper. *London*, 1941. 249 pp.  
See especially pp. 43, 63, and 144-51.
78. SCHAPER, I. The Work of Tribal Courts in the Bechuanaland Protectorate. *African Studies*, 2, pp. 27-40. *Johannesburg*, 1943.
79. SCOTT, Lord Justice Leslie. The Struggle for Native Rights in Rhodesia. Extracts from the Argument of Mr. (now Lord Justice) Leslie Scott before the Judicial Committee of the Privy Council, April 16th to May 2nd, 1918. *London*, 1918. 44 pp.
80. SHORT, A. H. Hassard. Legal Aid for the Poor. *J. Comp. Leg.* 3rd Series, 23, Pt. I, pp. 27-37. 1941.
81. SOUTHERN RHODESIA. Native Appeal Court. Reports of Decisions and of Cases reviewed by the Chief Native Commissioner. Vol. I, Part I. (1928-32). *Salisbury*, 1933. 3+47+3+16 pp.
82. SUDAN. The Sub-Mamur's Handbook. *Khartoum*, 1926.  
Contains notes on the Sudan Penal Code, Criminal Procedure, Civil Suits and Evidence.
83. SWETTENHAM, Sir F. A. British Malaya. An Account of the Origin and Progress of British Influence in Malaya. Revised ed. *London*, 1929. xiii+372 pp.
84. TEMPLE, C. L. Native Races and Their Rulers. *Cape Town*, 1918. 352 pp.
85. THOMAS, H. B., and SCOTT, R. Uganda. *London*, 1935. 559 pp.  
Chapter XVII (pp. 224-62) deals with justice.
86. THURNWALD, R. C. Black and White in East Africa. *London*, 1935. pp. 84-93, 111-15.

## GENERAL

87. TWISS, Sir T. Cyprus: its Mediaeval Jurisprudence and Modern Legislation. *The Law Magazine and Review*, No. CCXXXVI, pp. 225-72. 1880.
88. WALKER, E. A. The British Empire: Its Structure and Spirit. London, &c., 1942. 250 pp.  
Useful on the historical side.
89. WATERMEYER, E. F. The Roman-Dutch Law in South Africa. In 'The Cambridge History of the British Empire'. Cambridge, 1936. Vol. VIII, 'South Africa': Chap. XXXI, pp. 829-43.
90. WESTERMANN, D. The African World To-day. London, 1934. 343 pp.  
Provides useful information on the social changes which are affecting native law in Africa.
91. WILLE, G. Comparison of English and South African Law. *S. Afr. Law J.*, 59, pp. 124-37. 1942.
92. WILLOUGHBY, W. C. Race Problems in the New Africa. Oxford, 1923. 296 pp.

## 2. CONSTITUTIONAL LAW

93. BERTRAM, A. The Colonial Service. Cambridge, 1930. xii+291 pp.  
Includes an excellent survey of the constitution of the colonies.
94. CHALMERS, D., and ASQUITH, C. Outlines of Constitutional Law. 5th ed. London, 1936. 528 pp.  
Part VI, pp. 393-507, deals with the Empire.
95. CLEMENTI, Sir Cecil. Constitutional History of British Guiana. London, 1937. 546 pp.
96. DICEY, A. V. Introduction to the Study of the Law of the Constitution. 9th ed. with Introduction and Appendix by E. C. S. Wade. London, 1939. clvi+681 pp.
97. DICEY, A. V. Law and Public Opinion in England during the Nineteenth Century. 2nd ed. London, 1914. xciv+506 pp.
98. GRIFFITH, W. B. A Note on the History of the British Courts in the Gold Coast Colony, with a brief account of the changes in the Constitution of the Colony. Accra, 1936. 34 pp.
99. HANCOCK, W. K. Survey of British Commonwealth Affairs. London, 2 vols. Vol. I, 673 pp., 1937: Vol. II, Part I, xi+324 pp., 1940: Part 2, xii+355 pp., 1942.  
Vol. I gives an excellent general account of the background and meaning of British constitutional policy. Of special interest are the sections on Ceylon, Malta, Palestine, and Indians in Kenya. Vol. II deals with problems of economic policy.
100. HAYFORD, Caseley. Gold Coast Institutions. London, 1903. 418 pp.
101. JENKS, E. The Government of the British Empire, 5th ed. London, 1937. xii+432 pp.

## CONSTITUTIONAL LAW

102. JENKYNs, SIR Henry. British Rule and Jurisdiction beyond the Seas. *Oxford*, 1902. xxiii+300 pp.
103. JENNINGS, W. Ivor and YOUNG, C. M. The Constitutional Laws of the British Empire. *Oxford*, 1938. 364 pp.  
A collection of cases illustrating legal and constitutional principles. But is more concerned with the Dominions than the Colonies
104. KEITH, A. Berriedale. Responsible Government in the Dominions. 2nd ed. *Oxford*, 1928. 2 vols. lxiv+xxvii+1339 pp.
105. KEITH, A. Berriedale. Constitutional History of the First British Empire. *Oxford*, 1930. xii+443 pp.
106. KEITH, A. Berriedale. An Introduction to British Constitutional Law. *Oxford*, 1931. 243 pp.  
See especially pp. 184-209.
107. KEITH, A. Berriedale. Article 'Dominions, Colonies, Possessions, Protectorates and Mandates Territories' in Halsbury's 'Laws of England', Vol. XI. 2nd ed. 1933. pp. 1-259.
108. KEITH, A. Berriedale. The Governments of the British Empire. *London*, 1935. xv+646 pp.  
Chapters V-XI (pp. 450-543) relate to the Colonial (including mandated) territories. The section dealing with 'The Judicature and the Laws' in India (pp. 598-601) should also be studied.
109. KENNEDY, W. P. M., and SCHLOSBERG, H. J. The Law and Custom of the South African Constitution. *London*, 1935. xxxix+640 pp.  
Pp. 371-3 and 399-404 give a review of the system of Native Courts in South Africa, and of the principles followed in applying native law.
- \*110. LINDLEY, M. F. The Acquisition and Government of Backward Territory in International Law. *London, &c.*, 1926. 391 pp.  
A treatise on the law and practice relating to Colonial Expansion. See especially Chapters 33-7 and 42.
- \*111. MINTY, L. Le M. Constitutional Laws of the British Empire. *London*, 1928. 258 pp.
112. NATHAN, M. Empire Government. An outline of the system prevailing in the British Commonwealth of Nations. *London*, 1928. 256 pp.  
Chapters IV, V, and VI of Part I deal with the government of the Crown Colonies, the Protectorates, and the Mandated Territories. Chapter IV of Part II has some sound observations on the Judiciary.
- \*113. SALANT, E. Constitutional Laws of the British Empire. *London*, 1934. viii+239 pp.  
The sections dealing with Colonial territories are pp. 1-21, 94-101, and 229-33.
114. SARBAH, J. M. Fanti National Constitution. *London*, 1906. 273 pp.  
Includes a study of 'The rise of British Gold Coast jurisdiction'.

## CONSTITUTIONAL LAW

- \*115. TARRING, C. J. T. Chapters on the Law relating to the Colonies. 4th ed. *London*, 1913. 398 pp.
- \*116. WIGHT, Martin. The Development of the Legislative Council, 1606-1945. *London*, 1946. 187 pp.

## 3. JURISPRUDENCE, COMPARATIVE LAW, LEGAL HISTORY, AND LEGAL THEORY

- 117. ADAM, Leonhard. Modern Ethnological Jurisprudence in Theory and Practice. *J. Comp. Leg.* 3rd Series, 16, pp. 216-29. 1934.
- \*\*118. ALLEN, C. K. Law in the Making. 4th ed. *Oxford*, 1946. 564 pp.
- 119. AUSTIN, J. Lectures on Jurisprudence or the Philosophy of Positive Law. 5th ed. rev. by R. Campbell. *London*, 1885. 2 vols. xxiii+507: xiii+508-1132 pp.
- \*120. BENTHAM, Jeremy. The Theory of Legislation. Edited with an introduction and notes by C. K. Ogden. *London*, 1931. 555 pp.
- 121. BERGSON, H. Les Deux Sources de la Morale et de la Religion. *Paris*, 1932. 346 pp.
- 122. BODENHEIMER, Edgar. Jurisprudence. *New York*, 1940. xii+357 pp.
- \*123. CAIRNS, Huntington. Law and the Social Sciences, with a foreword by Roscoe Pound. *London*, 1935. 279 pp.  
A discriminating survey of the relation of the various social sciences to law.
- 124. CARDOZO, B. N. The Nature of the Judicial Process. *New Haven*, 1921. 180 pp.
- \*125. CARDOZO, B. N. The Growth of the Law. *New Haven*, 1924. 145 pp.
- 126. CARDOZO, B. N. The Paradoxes of Legal Science. *New York*, 1928. 142 pp.
- 127. CARTER, A. T. A History of the English Courts. 7th ed. *London*, 1944. 179 pp.
- 128. COHEN, M. R. Law and the Social Order: Essays in Legal Philosophy. *New York*, 1933. xii+403 pp.
- 129. COOK, W. W. Article 'Equity'. *Enc. Soc. Sci.* 5, pp. 582-8. 1931.
- 130. DEL VECCHIO, G. The Formal Bases of Law. Tr. by J. Lisle. *New York*, 1921. lvii+412 pp.
- \*131. DUGUIT, L. Law in the Modern State. Tr. by F. and H. Laski. *London*, 1921. xlv+248 pp.
- \*132. DURKHEIM, E. De la Division du Travail Social. 5th ed. *Paris*, 1926. 416 pp.
- \*133. EHRLICH, E. Fundamental Principles of the Sociology of Law. *Cambridge, Mass.*, 1936. 541 pp.

# JURISPRUDENCE, COMPARATIVE LAW

134. FIFOOT, C. H. S. *English Law and its Background*. London, 1932. xvi+279 pp.
- \*135. FRIEDMANN, W. *Legal Theory*. London, 1944. 448 pp.  
A systematic treatise on the principal movements in legal theory.
136. FROMM, E. *Autorität und Familie*. *Schriften des Instituts für Sozialforschung*. 5, pp. 76-135. 1936.
137. GELDART, W. M. *Elements of English Law*. Revised by Sir W. S. Holdsworth. 3rd revised ed. London, 1939. 256 pp.
- \*138. GINSBERG, M. Article 'Conventions, Social'. *Enc. Soc. Sci.* 5, pp. 351-3. 1931.
- \*139. GINSBERG, M. *Sociology*. London, 1934. 255 pp.
- \*140. GRAY, J. C. *The Nature and Sources of the Law*. New York, 1916. 2nd ed., 1921. 348 pp.
- \*141. GURVITCH, Georges. Articles 'Justice' and 'Natural Law'. *Enc. Soc. Sci.* 8, pp. 509-15, 1932, and 11, pp. 284-90. 1933.
142. GURVITCH, Georges. *Sociology of Law*. New York. 1942. 309 pp. and London, 1947. 248 pp.  
Somewhat abstruse, though useful for advanced students.
143. GUTTERIDGE, H. C. *Comparative Law*. Cambridge, 1946. 208 pp.
144. HANBURY, H. G. *English Courts of Law*. London, 1944. 192 pp.
- \*145. HOBHOUSE, L. T. *Social Development*. London, 1924. 348 pp.
146. HOBHOUSE, L. T. *Morals in Evolution*, 6th ed. London, 1929. 648 pp.
- \*147. HOBHOUSE, L. T. Article 'Comparative Ethics'. *Enc. Brit.* 6, pp. 156-64.
148. HOFELD, W. N. *Fundamental Legal Conceptions*. Ed. by W. W. Cook. New Haven, 1923. 420 pp.
149. HOLDSWORTH, Sir W. S. *History of English Law*. London. 12 vols.
150. HOLLAND, T. E. *The Elements of Jurisprudence*. 13th ed. Oxford, 1924. xxvi+458 pp.
151. HUBERT, R. *Croyance morale et règle juridique*. 11<sup>e</sup> *Annuaire de l'Institut International de Philosophie du Droit*, pp. 125-44. 1936.
152. ILBERT, Sir C. *Legislative Methods and Forms*. Oxford, 1901. xxxi+372 pp.
153. ILBERT, Sir C. *Methods of Legislation*. London, 1912. 80 pp.
154. JACKSON, H. M. G. *Some Reflections on the Relation of Law to Social Anthropology*. *S. Afr. J. Sci.* 24, pp. 549-52. 1927.
155. JENKS, E. *The Book of English Law*. 4th ed. London, 1936. 460 pp.  
A good elementary book.
156. JENNINGS, W. Ivor. (ed.) *Modern Theories of Law*. London, 1933. vi+229 pp.

# LEGAL HISTORY, AND LEGAL THEORY

157. JONES, J. Walter. *Historical Introduction to the Theory of Law. Oxford*, 1940. 304 pp.
158. KALLEN, H. M. Article 'Morals'. *Enc. Soc. Sci.* 9, pp. 643-9. 1933.
159. KEETON, G. W. *The Elementary Principles of Jurisprudence London*, 1930. 324 pp.
160. KELSEN, H. *The Pure Theory of Law*. T1., with an introduction, by C. H. Wilson. *L. Q. R.* 50, pp. 474-98, 1934, and 51, pp. 517-35, 1935.
161. KELSEN, H. *The Pure Theory of Law and Analytical Jurisprudence. Harvard Law Review*, 55, pp. 44-70. 1941.
- \*162. KELSEN, H. *Society and Nature: a Sociological Inquiry. London*, 1946. viii+391 pp.
163. KOCOUREK, A., and WIGMORE, J. H. *Evolution of Law. Boston*, 1915-18. 3 vols.
164. KOHLER, J. *Philosophy of Law*. Tr. by A. Albrecht. *New York*. 1921. xlv+390 pp.
165. KORKUNOV, N. M. *General Theory of Law*. Tr. by W. G. Hastings. *Boston*, 1909. 524 pp.
166. LAMBERT, Édouard. Article 'Comparative Law'. *Enc. Soc. Sci.* 4, pp. 126-9. 1931.
167. LEE, R. W. *An Introduction to Roman-Dutch Law*. 3rd ed. *Oxford*, 1931. lxiv+463 pp.  
Useful for a study of the Common Law of S. Africa, Ceylon, &c.
168. LOBINGIER, C. S. Article 'Customary Law'. *Enc. Soc. Sci.* 4, pp. 662-7. 1931.
169. MACIVER, R. M. *The Modern State. Oxford*, 1926. xii+504 pp.
- \*170. MACIVER, R. M. *Society: a Text-book of Sociology. London*, 1937. xii+596 pp.
171. MAINE, H. J. S. *Village Communities in the East and West*. 7th ed. *London*, 1907. 413 pp.
- \*\*172. MAINE, H. J. S. *Ancient Law*. With Introduction and Notes by F. Pollock. *London*, 1906. 426 pp.
173. MAINE, H. J. S. *Lectures on the Early History of Institutions. London*, 1875. 412 pp.
- \*\*174. MALINOWSKI, B. *Crime and Custom in Savage Society. London*, 1926. xii+132 pp.
175. MANNHEIM, Hermann. *Criminal Justice and Social Reconstruction. London*, 1946. viii+290 pp.
176. MAUSS, Marcel. *La Religion et les origines du droit pénal. Revue de l'histoire des religions*, 34, pp. 269-95, 1896, and 35, pp. 31-60, 1897.

# JURISPRUDENCE, COMPARATIVE LAW

177. MILES, G. Evelyn, and DIX, D. Knight. *In the Eyes of the Law*. London, 1937. 205 pp.  
A useful little book for the layman.
- \*178. OPPENHEIMER, F. *System der Soziologie*. Vol. 2. *Der Staat*. Jena, 1926. x+860 pp.
- \*179. PATON, G. W. *A Text-book of Jurisprudence*. Oxford, 1946. 528 pp.
- \*180. PLUCKNETT, T. F. T. *A Concise History of the Common Law*. 3rd ed. London, 1940. 672 pp.  
A standard text-book for the study of the history of English law.
- \*181. POLLOCK, F. *First Book of Jurisprudence*. 6th ed. London, 1929. xviii+376 pp.
- \*\*182. POLLOCK, F., and MAITLAND, F. W. *History of English Law before the Time of Edward I*. 2nd ed. Cambridge, 1898. 2 vols. xxxviii+688: xv+691 pp.
183. POST, A. H. *Afrikanische Jurisprudenz: Ethnologisch-juristische Beiträge zur Kenntniss des einheimischen Rechtes Afrikas*. Leipzig, 1897. 2 vols. 480: 192 pp.
184. POST, A. H. *Grundriss der ethnologischen Jurisprudenz*. Oldenburg and Leipzig, 1894-5. 2 vols. xii+473: xv+744 pp.
185. POUND, Roscoe. *The Scope and Purpose of Sociological Jurisprudence*. *Harvard Law Review*, 24, pp. 591-619, 1910-11, and 25, pp. 140-68, 489-516, 1911-12.
186. POUND, Roscoe. *The Spirit of the Common Law*. Boston, 1921. xv+224 pp.  
See especially pp. 33-6, 85, and 139-96.
- \*187. POUND, Roscoe. *An Introduction to the Philosophy of Law*. New Haven, 1922. 307 pp.
- \*188. POUND, Roscoe. *Interpretations of Legal History*. Cambridge, 1923. xvii+171 pp.
189. POUND, Roscoe. *Law and Morals*. 2nd ed. Chapel Hill, 1926. x+144 pp.
190. POUND, Roscoe. *Sociology and Law*. In 'The Social Sciences and Their Interrelations', ed. by W. F. Ogburn and A. A. Goldenweiser. New York, 1927. Chap. 26, pp. 319-28.
191. POUND, Roscoe. *Criminal Justice in America*. New York, 1930. xiv+226 pp.
- \*192. POUND, Roscoe. Article 'Jurisprudence'. *Enc. Soc. Sci.* 8, pp. 477-92. 1932.
193. POUND, Roscoe. *The History and System of the Common Law*. New York, 1939. xvii+347 pp.
194. RADCLIFFE, G. R. Y., and CROSS, G. C. *The English Legal System*. London, 1937. 428 pp.

# LEGAL HISTORY, AND LEGAL THEORY

195. RADCLIFFE-BROWN, A. R. Articles 'Primitive Law' and 'Sanction, Social'. *Enc. Soc. Sci.* 9, pp. 202-6, 1933, and 13, pp. 531-4, 1934.
196. RADIN, Max. Law as Logic and Experience. *Yale*, 1940. 182 pp.
197. READ, Carveth. Natural and Social Morals. *London*, 1909. 314 pp.
198. ROBSON, W. A. Civilization and the Growth of Law. *London*, 1935. xv+354 pp.
199. ROBSON, W. A. Sir Henry Maine To-day. In 'Modern Theories of Law', ed. by W. Ivor Jennings. *London*, 1933. Chap. IX, pp. 160-79.
200. SALMOND, J. W. Jurisprudence. 9th ed. by J. L. Parker. *London*, 1937. xx+753 pp.
201. SAPIR, E. Article 'Custom'. *Enc. Soc. Sci.* 4, pp. 658-62. 1931.
202. SCHULTZ-EWERTH, E., and ADAM, Leonhard. (ed.) Das Eingeborenenrecht. *Stuttgart*, 1929-30. 2 vols. 380. 728 pp.
203. SEAGLE, W. Article 'Justice, Administration of'. *Enc. Soc. Sci.* 8, pp. 515-24. 1932.
204. SEAGLE, W. There Ought to be a Law. *New York*, 1933. 158 pp.
205. SEAGLE, W. The Quest for Law. *New York*, 1941. xv+439+xvii pp.
206. SPENCER, Herbert. Principles of Sociology. 3rd ed. *London*, 1897-1906. 3 vols.
207. STAMMLER, R. The Theory of Justice. Tr. by I. Husik. *New York*, 1925. xli+591 pp.
208. STEINMETZ, S. R. Ethnologische Studien zur ersten Entwicklung der Strafe. *Leiden and Leipzig*, 1894. 2 vols. xlv+486: vii+425 pp.
209. THURNWALD, R. C. Article 'Recht'. *Reallexikon der Vorgeschichte*, 11, pp. 50-69. *Berlin*, 1927-8.
210. VINOGRADOFF, Paul. Outlines of Historical Jurisprudence. *London*, 1920-2. 2 vols. viii+428: x+316 pp.
211. VINOGRADOFF, Paul. Common Sense in Law. 2nd ed. revised by H. G. Hanbury. *London*, 1946. 192 pp.
212. WESTERMARCK, E. The Origin and Development of the Moral Ideas. *London*, 1906-8. 2 vols. xxi+716: xv+852 pp.
213. WESTERMARCK, E. Ethical Relativity. *London*, 1932. xviii+301 pp.
214. WHEELER, W. M. Emergent Evolution and the Development of Societies. *New York*, 1928. 80 pp.
215. WILLE, G. Principles of South African Law. 2nd ed. *Cape Town*, 1945. lviii+533 pp.

#### 4. CONFLICT OF LAWS

216. ABRAHAM, Sir S. The Conflict of Laws in Zanzibar. *J. Comp. Leg.* 3rd Series, 23, pp. 169-71. 1941.
- \*217. BURGIN, E. L., and FLETCHER, E. G. M. Students' Conflict of Laws. 3rd ed. London, 1937. xvi+347 pp.
218. DICEY, A. V. A Digest of the Law of England with reference to The Conflict of Laws. 5th ed. by A. Berriedale Keith, London, 1932. cxxxiv+1144 pp.
- \*219. ILBERT, Sir C. The Government of India. 3rd ed. Oxford, &c., 1915. 499 pp.  
See especially Chapter IV (pp 353-71), Application of English Law to Natives of India.
220. KINGDON, H. E. The Conflict of Laws in Zanzibar. *Zanzibar*, 1940. 46 pp.
221. LEWIN, Julius. Studies in African Native Law. Cape Town, 1947, pp. 57-76.  
Pp. 57-67 deal with 'The Conflict of Native Law and Common Law', and pp 68-76 with 'The Conflict of Tribal Laws'.
222. ROBERTS, C. C. Tangled Justice. Some Reasons for a Change of Policy in Africa. London, 1937. 153 pp.
- \*223. SCHILLER, A. A. Conflict of Laws in Indonesia. *Journal of Far Eastern Studies*, 1, pp. 31-47. 1942.
224. STORY, Joseph. Commentaries on the Conflict of Laws. 8th ed. Boston, 1883.
225. UNSWORTH, E. G. The Conflict of Laws in Africa. *Rhodes-Livingstone Journal*, 2, pp. 49-55. Dec. 1944.
226. VAUGHAN, J. H. The Dual Jurisdiction in Zanzibar. *Zanzibar*, 1935. 123 pp.
227. WRIGHT, A. C. A. The Inter-action of Various Systems of Law and Custom in British Somaliland and their relation with Social Life. *J. E. Afr. Nat. Hist. Soc.* 17, pp. 62-102. 1943.

#### 5. PRIMITIVE AND ANCIENT LAW

228. ADAM, Leonhard. Inheritance Law in Primitive Cultures. *Iowa Law Review*, 20, pp. 760-73. 1935.
229. ADAM, Leonhard. Recht im Werden. In 'Custom is King' (Essays presented to R. R. Marett). London, 1936. pp. 217-36.
- \*230. ADAM, Leonhard. The Social Organization and Customary Law of the Nepalese Tribes. *American Anthropologist*, 38, pp. 533-47. 1936.
231. ADAM, Leonhard. Practical Ethnology in Modern Jurisprudence and Legislation. *Tulane Law Review*, 9, pp. 232-43.

# PRIMITIVE AND ANCIENT LAW

232. BONNER, R. J., and SMITH, G. The Administration of Justice from Homer to Aristotle. *Chicago*, 1930. 2 vols. viii+390: vi+320 pp.
233. CUQ, Édouard. Études sur le droit babylonien, les lois assyriennes et les lois hittites. *Paris*, 1929. vii+522 pp.
234. DELAPORTE, L. J., Mesopotamia: The Babylonian and Assyrian Civilization. Tr. by V. Gordon Childe. *New York*, 1925. xvi+371 pp.  
See especially Pt. I, Bk. II, Chaps. II-III, and Pt. II, Bk. II.
- \*235. DIAMOND, A. S. Primitive Law. *London*, *&c.*, 1935. 451 pp.
236. DRIVER, G. R., and MILES, J. C. The Assyrian Laws. *Oxford*, 1935. 534 pp.
- \*237. DURKHEIM, E. De la division du Travail social. 5th ed. *Paris*, 1926. 416 pp.
238. EDWARDS, C. The Hammurabi Code. *London*, 1904. 168 pp.
239. ELLIS, T. B. Welsh Tribal Law and Custom in the Middle Ages. *Oxford*, 1926. 2 vols. xiv+456: vi+460 pp.
240. ENGELS, F. The Origin of the Family, Private Property and the State. 4th ed. tr. by A. West and D. Torr. *London*, 1940. 216 pp.
241. ERMAN, A. Life in Ancient Egypt. *London*, 1894. 570 pp.  
See especially Chapter VII (The Police and Courts of Justice).
- \*242. FIRTH, Raymond. Human Types. *London*, *&c.*, 1938. 207 pp.  
Pp. 126-49 deal with 'The Regulation of Conduct' in primitive communities.
243. FROMM, E. Autorität und Familie. *Schriften des Instituts für Sozialforschung*, 5, pp. 76-135. 1936.
- \*244. GINSBERG, M. Article 'Conventions, Social'. *Enc. Soc. Sci.* 5, pp. 351-3. 1931.
245. HARPER, R. E. The Code of Hammurabi. Ed. and tr. by R. E. Harper. *Chicago*, 1904. xv+192 pp.+ciii plates.
246. HARTLAND, S. Primitive Law. *London*, 1924. 222 pp.  
Still useful, though based on older anthropological concepts.
247. HASTINGS, J. (ed.) Encyclopedia of Religion and Ethics. *Edinburgh*, 1908-26. 13 vols.  
Contains numerous articles on law in the Ancient World.
- \*248. HOBHOUSE, L. T. Social Development. *London*, 1924. 348 pp.
- \*249. HOBHOUSE, L. T. Article 'Comparative Ethics'. *Enc. Brit.* 6, pp. 156-64.
- \*250. HOBHOUSE, L. T., WHEELER, G. C., and GINSBERG, M. The Material Culture and Social Institutions of the Simpler Peoples. *London*, 1915. 299 pp.  
See especially Chapter II, 'Government and Justice', and Chapter IV, Sec. iv, 'Property'.
251. HUBERT, R. Croyance morale et règle juridique. *11<sup>e</sup> Annuaire de l'Institut International de Philosophie du Droit*, pp. 125-44, 1936.

# PRIMITIVE AND ANCIENT LAW

252. JASTROW, M. The Civilization of Babylonia and Assyria. *Philadelphia*, 1915, pp. 332-6.
253. JOHNS, C. H. W. Babylonian and Assyrian Laws, Contracts and Letters. *Edinburgh*, 1904. xviii+424 pp.
- \*254. KELSEN, H. Society and Nature: A Sociological Inquiry. *London*, 1946. viii+391 pp.
255. KOSCHAKER, P. Article 'Law, Cuneiform'. *Enc. Soc. Sci.* 9, pp. 211-19. 1933.
256. KUNSSBERG, E. von. Article 'Law, Germanic'. *Enc. Soc. Sci.* 9, pp. 235-9. 1933.
257. LÉVY-BRUHL, L. Primitive Mentality. Tr. by L. A. Clare. *London*, 1923. 458 pp.
258. LÉVY-BRUHL, L. How Natives Think. *London*, 1926. 386 pp.
- \*259. LIPS, Julius E. Government. In 'General Anthropology', ed. by Franz Boas. *Boston, &c.*, 1938. Chap. X. pp. 487-534.
- \*260. LOWIE, R. H. Primitive Society. *London*, 1921. pp. 383-413.
261. LOWIE, R. H. Incorporeal Property in Primitive Society. *Yale Law Journal*, 37, pp. 551-63. 1928.
262. LOWIE, R. H. The Origin of the State. *New York*, 1927. iv+117 pp.  
See especially Chap VI, pp. 112-17
263. MACNEILL, Eoin. Article 'Law, Celtic'. *Enc. Soc. Sci.* 9, pp. 246-9. 1933.
- \*\*264. MAINE, H. J. S. Ancient Law. With Introduction and Notes by F. Pollock. *London*, 1906. 426 pp.
- \*\*265. MALINOWSKI, B. Crime and Custom in Savage Society. *London*, 1926. xii+132 pp.
266. MALINOWSKI, B. Practical Anthropology. *Africa*, 11, pp. 26-8. 1929.  
Contains some brief observations on the theory of primitive law.
267. MALINOWSKI, B. Article 'Culture'. *Enc. Soc. Sci.* 4, pp. 621-45. 1931.
268. MALINOWSKI, B. The Foundations of Faith and Morals. *Oxford*, 1936. xi+62 pp.
- \*\*269. MALINOWSKI, B. Introduction to 'Law and Order in Polynesia', by H. I. Hogbin. *London*, 1934. pp. xvii-lxxii.
- \*270. MARETT, R. R. Anthropology. *London*, 1911. pp. 181-203.
271. MARETT, R. R. The Nature of the Sanction in Primitive Law. *Zeitschrift für Vergleichende Rechtswissenschaft*, 50, pp. 63-9. 1936.
- \*272. MARETT, R. R. Article 'Law, Primitive'. *Enc. Brit.* 13, pp. 781-2.
273. MARETT, R. R. The Beginnings of Morals and Culture. In 'An Outline of Modern Knowledge', ed. by Dr. W. Rose. *London*, 1931. pp. 395-430.

# PRIMITIVE AND ANCIENT LAW

- \*274. MARETT, R. R. *Sacraments of Simple Folk*. Oxford, 1933. 230 pp.  
See especially the chapters on 'Ruling' and 'Judging'.
- \*275. MARETT, R. R. *Head, Heart and Hands in Human Evolution*. London, 1935. 303 pp.  
Especially pp. 184-92, 'Religion and Blood Revenge'.
- 276. MARETT, R. R. *The Individual in Primitive Society*. In 'The Individual in East and West', ed. by E. R. Hughes. London, 1937. pp. 6-29.
- 277. MORGAN, L. H. *Ancient Society*. London, 1877. xvi+560 pp.
- 278. MURRAY, Gilbert. *Group Law and Private Conscience*. In 'The Individual in East and West', ed. by E. R. Hughes. London, 1937. pp. 30-57.
- 279. NOTES AND QUERIES ON ANTHROPOLOGY. 5th ed. London, 1929. 404 pp.  
Especially pp. 153-67, 'Law and Justice'.
- 280. PLUCKNETT, T. F. T. Article 'Compurgation'. *Enc. Soc. Sci.* 4, pp. 149-50. 1931.
- 281. POLLOCK, F. *English Law before the Norman Conquest*. In 'Alfred the Great', ed. by A. Bowker. London, 1899. pp. 207-39.  
This description of Anglo-Saxon law provides numerous parallels with the law of African tribes to-day.
- \*\*282. RADCLIFFE-BROWN, A. R. Article 'Law, Primitive'. *Enc. Soc. Sci.* 9, pp. 202-6. 1933.
- 283. RADIN, Max. Article 'Courts'. *Enc. Soc. Sci.* 4, pp. 515-29. 1931.
- 284. RADIN, Paul. *Social Anthropology*. New York and London, 1932. xii+432 pp.  
Pp. 95-134 deal with the organization of law and custom.
- 285. SCHILLER, A. A. Article 'Law, Hellenistic and Greco-Egyptian'. *Enc. Soc. Sci.* 9, pp. 229-35. 1933.
- 286. SEAGLE, W. *Primitive Law and Professor Malinowski*. *American Anthropologist*, 39, Pt. II, pp. 275-90. 1937.
- \*287. SEEBOHM, F. *Tribal Custom in Anglo-Saxon Law*. London, 1911. 531 pp.
- 288. SEIDL, E. Article 'Law, Egyptian'. *Enc. Soc. Sci.* 9, pp. 209-11. 1933.
- \*289. SMITH, W. Robertson. *Kinship and Marriage in Early Arabia*. New ed. by S. A. Cook. London, 1903. xxii+324 pp.  
Still remains a standard work
- \*290. SPENCER, Herbert. *Principles of Sociology*. 3rd ed. London, 1897-1906. 3 vols.
- 291. THOMAS, W. I. *Primitive Behaviour*. New York, 1937. ix+847 pp.

## PRIMITIVE AND ANCIENT LAW

292. WEBSTER, Hutton. *Taboo: A Sociological Study*. London, 1942. 393 pp.  
See especially Chapters I, IX, X, and XI.
293. WEISS, E. Article 'Law, Greek'. *Enc. Soc. Sci.* 9, pp. 225-9. 1933.
294. WENGER, L. Article 'Law, General View of Ancient'. *Enc. Soc. Sci.* 9, pp. 206-9. 1933.
- \*295. WESTERMARCK, E. *The Origin and Development of the Moral Ideas*. London, 1906-8. 2 vols. xxi+716: xv+852 pp.
296. WESTERMARCK, E. *Ethical Relativity*. London, 1932. xviii+301 pp.
297. WESTERMARCK, E. *Early Beliefs and Their Social Influence*. London, 1932. 182 pp.
298. WHEELER, W. M. *Emergent Evolution and the Development of Societies*. New York, 1928. 80 pp.

## 6. CHINESE LAW

299. ESCARRA, J. Article 'Law, Chinese'. *Enc. Soc. Sci.* 9, pp. 249-54. 1933.

This includes a bibliography for Chinese law.

## 7. HINDU LAW

For original sources the reader should consult any of the three standard translations of Manu (Jones, Bühler, or Burnell) and the translations collected in Stokes's 'Hindu Law Books', 1865.

300. Article 'Hindu Law'. *Chambers's Encyclopedia*. Forthcoming edition.
301. MAYNE, J. D. *A Treatise on Hindu Law and Usage*. 10th ed. by Srinivasa Tyengar, Madras, 1938. 1057+lxxx pp.  
Mr. Srinivasa Tyengar has very well performed the difficult task of bringing this great legal classic up to date.
302. MULLA, D. F. *Principles of Hindu Law*. 10th ed. by Sir V. Ramesam. Bombay, 1946. lxi+753 pp.
303. VESEY-FITZGERALD, S. Article 'Jimutavahana'. *Enc. Soc. Sci.* 8, pp. 403-4. 1932.
304. VESEY-FITZGERALD, S. Article 'Law, Hindu'. *Enc. Soc. Sci.* 9, pp. 257-62. 1933.  
This includes a bibliography for Hindu Law.
305. VESEY-FITZGERALD, S. Article 'Vijnanesvara'. *Enc. Soc. Sci.* 15, p. 252.

## 8. MUHAMMADAN LAW

Much of the best work on Muhammadan Law is in Italian (notably by Santillana), German (particularly by Sachau), and Dutch—though all the Dutch authors are usually available in some other tongue. The Law Faculty of the University of Algiers has produced a great deal of work on Muhammadan Law. Agnides's 'Mohamedan Theories of Finance' (*Columbia University Press*) is quite excellent on Muhammadan jurisprudence and has a capital bibliography of the original sources.

306. ALI, Ameer. Mahommedan Law. 4th ed. *Bombay*, 1912-17. 2 vols. xxxi+818: xxx+640 pp. Vol. II. 5th ed. 1930.
307. ARBERRY, A. J., and LANDAU, Rom. (ed.) *Islam To-day*. *London*, 1943. 258 pp.
308. Article 'Islamic Law'. *Enc. Brit.* 12, pp. 714-15.
309. Article 'Muhammadan Law'. *Chambers's Encyclopedia*. Forthcoming edition.
310. GOTTHEIL, R. J. H. The Cadi, the History of this Institution. *Revue des études ethnographiques et sociologiques*, 1, pp. 385-93. 1908.
311. GOWERS, W. F. Notes on Muhammadan Law in Northern Nigeria. *Zungeru*, 1908. Reprinted *Lagos*, 1919 32 pp  
Contains many extracts from the Risala, translated into Hausa Useful for administrative and judicial officers in N. Nigeria
312. HAMILTON, C. The Hedaya or Guide: a Commentary on the Mussulman Laws. Tr. by C. Hamilton 2nd ed. by S. G. Grady. *London*, 1870. li+783 pp.
313. HOUTSMA, M. T., ARNOLD, T. W., and others. (ed.) *Encyclopedia of Islam*. *Leyden, &c.*, 1908-36. 4 vols.
314. HUGHES, T. P. (ed.) *Dictionary of Islam*. *London*, 1885. Reprinted 1935. viii+750 pp.
315. JAUSSEN, A. Coutumes des Arabes au pays de Moab. *Paris*, 1908. pp. 181-234. (Droits.)
316. JUYNBOLL, T. W. Handbuch des Islamischen Gesetzes. 3rd ed. *Leyden*, 1925.
- \*317. KENNETT, A. Bedouin Justice: Laws and Customs among the Egyptian Bedouin. *Cambridge*, 1925. xiv+158 pp.
318. LAMMENS, M. Islam. Beliefs and Institutions. Tr. by Sir E. Denison Ross. *London*, 1929. 256 pp.  
Has a short elementary chapter on Muhammadan jurisprudence, and also a useful bibliography
319. LEVY, R. An Introduction to the Sociology of Islam. *London*, 1931-3, 2 vols. viii+410: v+426 pp.  
Vol. I, Chap. II, deals with the status of women in Islam, Chap. III with the status of the child, and Chap. IV with Islamic jurisprudence.

# MUHAMMADAN LAW

320. MACDONALD, D. B. Development of Muslim Theology, Jurisprudence and Constitutional Theory. *London*, 1903, pp. 1-117.
321. MEJELLE. The Ottoman Civil Code, promulgated between 1869 and 1877. A code dealing with matters likely to come before the *nizamat* courts, i.e., those in which both Moslems and non-Moslems might be involved. English versions by W. E. Grigsby (*London*, 1895) from the French official translation, Sir Charles Tyser and others from the Turkish (*Nicosia*, 1901), and by C. A. Hooper (see no. 43).
322. MORAND, M. *Avant-projet de code présenté à la commission de codification du droit musulman algérien. Algiers*, 1916.  
This draft code, which was never promulgated, has been much used in the French Courts of N Africa. The four volumes deal with personal status, inheritance, wakfs, real property, and the law of evidence.
323. MORAND, M. *Études de droit musulman. Algiers*, 1910.
324. MULLA, D. F. Principles of Mahomedan Law. 11th, 12th, or 13th ed. 11th ed. by Sir G. C. Rankin. *Calcutta*, 1938. 280 pp.  
12th and 13th ed appeared during the war, but are difficult to obtain in England.
325. RAHIM, Abdur. The Principles of Muhammadan Jurisprudence. *London and Madras*, 1911. xvi+443 pp.
326. RISALA OF IBN ABU ZAID AL KAIRAWANI. Tr. by E. Fagnan. *Paris*, 1914. Selections with translation, introduction and notes by A. D. Russell and Abdullah Al-Ma' Mūn Suhrawardy *London*, 1906. xxi+121 pp.  
The most popular elementary book on Maliki law.
- \*327. RUXTON, F. H. Maliki Law. *London*, 1916. 420 pp.  
A selection, mainly from French translations of Khabīl, but also from other French works.
328. SCHACHT, J. Article 'Islamic Law'. *Enc. Soc. Sci.* 8, pp. 344-9. 1932.
329. SHEIKH ALI BIN HEMEDI AL BUHURI, Kathi of Tanga. *Mirathi: a Handbook of the Mahomedan Law of Inheritance with Appendices on Wills and Gifts*, (Original in Swahili: published together with a translation and notes by P. E. Mitchell.) *Tanga*, 1924. 82+71 pp.
330. VESEY-FITZGERALD, S. Muhammadan Law. An Abridgement. *London*, 1931. 252 pp.
331. WILSON, Sir R. K. Anglo-Muhammadan Law. A Digest. Preceded by a historical and descriptive introduction of the special rules applicable to Muhammadans by the Civil Courts of British India. 86th ed. revised by A. Yusuf Ali. *Calcutta, Simla, and London*, 1930. 573 pp.

## 9. NATIVE LAW AND PROCEDURE

### (A) AFRICA

#### (1) General

- '332. ANKERMANN, B. Ostafrika. Vol. I of Das Eingeborenenrecht, ed. by E. Schultz-Ewerth and Leonhard Adam. *Stuttgart*, 1929. 380 pp.  
A study of native law in East Africa based on questionnaires sent out to missionaries and others in former German colonies
- \*333. BROWN, G. C., and HUTT, A. McD. *Anthropology in Action*. London, 1935. xviii+272 pp.  
See especially pp. 115-34 (the public regulation of family life, law, land tenure), 175-84 (magic and witchcraft), 205-9 (European law), and 255 (native rules of evidence).
334. BROWNE, G. St. J. Orde. *British Justice and the African*. *J. R. Afr. Soc.* 32, pp. 148-59 and 280-93. 1933.
335. BUTT-THOMPSON, F. W. *West African Secret Societies*. London, 1929. 320 pp.
336. CULWICK, A. T. *Good out of Africa. A Study in the Relativity of Morals*. Rhodes-Livingstone Paper No. 8. *Livingstone*, 1942. 44 pp.
- \*337. DRIBERG, J. H. *Primitive Law in Eastern Africa*. *Africa*, 1, pp. 63-72. 1928.
- \*338. DRIBERG, J. H. *At Home with the Savage*. London, 1932. pp. 214-31 ('Law').
- \*339. DRIBERG, J. H. *The African Conception of Law*. *J. Comp. Leg.* 3rd Series, 16, pp. 230-46. 1934.
340. DRIBERG, J. H. *The African Conception of Law*. *Suppl. J. R. Afr. Soc.* 34, pp. 230-46. 1935.
341. DUNDAS, C. *The Organization and Laws of Some Bantu Tribes*. *J. R. Anthropol. Inst.* 45, pp. 234-306. 1915.
- \*342. DUNDAS, C. *Native Laws of Some Bantu Tribes of East Africa*. *J. R. Anthropol. Inst.* 51, pp. 217-78. 1921.
343. FORTES, M., and EVANS-PRITCHARD, E. E. (editors). *African Political Systems*. London, 1940. pp. 32-3, 38, 63-4, 67-9, 72, 105, 108, 113, 116-18, 181-2, 202-23, 293.
344. GUTMANN, B. *The African Standpoint*. *Africa*, 8, pp. 1-17. 1935.  
An able article on the changing background of native law and custom.
- \*\*345. HAILEY, Lord. *An African Survey*. London, 1938. See Index—Law (Native customary).
346. HAMILTON, Sir R. W. *Some Notes on East African Laws and Customs*. *J. Comp. Leg.* New Series, 11, pp. 181-95, 1910, and 13, pp. 151-5, 1912.

## NATIVE LAW AND PROCEDURE

347. HERSKOVITS, M. J. *The Economic Life of Primitive Peoples*. *New York and London*, 1939. 492+xxviii pp.
348. KINGSLEY, Mary. *West African Studies* 2nd ed. *London*, 1901. 507 pp.  
Especially Chapter XX, 'African Religion and Law'.
349. KNAK, D. S. *Einflüsse der europäischen Zivilisation auf das Familienleben der Bantu*. *Africa*, 4, pp. 178-201. 1931.
- \*350. LEWIN, Julius. *Studies in African Native Law*. *Cape Town*, 1947. 174 pp.
351. MAIR, L. P. *Native Policies in Africa*. *London*, 1936. xi+318 pp.
352. ROBERTS, C. C. *The African Native under the English System of Penal Law*. *J. Comp. Leg.* 3rd Series, 15, Pt. I, pp. 169-75. 1933.
353. ROBERTS, C. C. *Tangled Justice. Some Reasons for a Change of Policy in Africa*. *London*, 1937. 153 pp.
354. THURNWALD, R. C. *The Missionary's Concern in Sociology and Psychology*. *Africa*, 4, pp. 430-1. 1931.  
Deals with method in the study of native law
355. THURNWALD, R. C. *Economics in Primitive Communities*. *London*, 1932. 314 pp.  
Provides a useful background for the study of native law. Especially relevant are pp. 186-94 (ownership and property), 171-4 (purchase), 195-204 (feudalism), 217-42 (slavery), and 242-51 (bondmen)
- \*356. THURNWALD, R. C. *Black and White in East Africa (with a chapter on Women by H. Thurnwald)*. *London*, 1935. xxii+419 pp.  
See esp. pp. 30-3 (Tribe, Clan, Family, Leadership), 84-92 (Justice and Criminality), 111-15 (Property and Inheritance), 160-3 (Divorce), 287-309 (Changes in the African Mind)
357. TORDAY, E. *African Races*. *London*, 1930. iv+385 pp.
358. TUPPER, Sir L. *Customary and Other Law in the East Africa Protectorate*. *J. Comp. Leg.* New Series, 8, pp. 172-84. 1907.
- \*359. WILSON, Godfrey. *An African Morality*. *Africa*, 9, pp. 75-98. 1936.
- \*360. WILSON, Godfrey and Monica. *The Analysis of Social Change*. *Cambridge*, 1944. 177 pp.

### (2) *Native Courts*

The constitution of the Native Courts, their jurisdiction, powers, procedure, and the law they are required to administer, are set forth in the Native Courts Ordinances of each territory. The working of the system is described in the official handbooks and annual reports of the local governments. Further information will be found in some of the publications listed under Native Law. The following are a few of special interest:

361. BLAINE, C. H., and MANNING, C. N. *Native Courts Practice*. *Cape Town*, 1931. 234 pp.
362. BRADLEY, Kenneth. *Native Courts and Authorities in Northern Rhodesia*. *Ndola*, 1942. 41 pp.

# AFRICA

363. BURNS, A. C. History of Nigeria. 3rd ed. *London*, 1942. pp. 270-6.
364. CAMERON, Sir D. The Principles of Native Administration and their Application (Tanganyika Territory, Native Administration Memoranda No. I). 2nd ed. *Dar es Salaam*, 1930. 46 pp.
365. CAMERON, Sir D. Native Courts. (Tanganyika Territory, Native Administration Memoranda No. II.) 2nd ed. *Dar es Salaam*, 1930. iii+44 pp.
366. CAMERON, Sir D. The Principles of Native Administration and Their Application. Nigeria. *Lagos*. 1934. 47 pp.
367. FLYNN, J. L. W. Evidence of Customs, Etc. *Nada*, 15, pp. 88-97. 1938.  
Provides useful notes on the practice of the Southern Rhodesia Native Appeal Court
368. GRIFFITH, W. B. Native Courts of the Gold Coast. *J. Comp. Leg. New Series*, 6, pp. 507-13. 1905.
369. GRIFFITH, W. B. A Note on the History of the British Courts in the Gold Coast Colony, with a brief account of the Changes in the Constitution of the Colony. *Accra*, 1936. 34 pp.
- \*370. HAILEY, Lord. An African Survey. *London*, 1938. Chap. VII, pp. 261-316.
371. HALL, R. de Z. The Study of Native Court Records as a Method of Ethnographical Enquiry. *Africa*, 11, pp. 412-27. 1938.
- \*372. HAVERS, C. R. Report of Commission of Inquiry into Expenses incurred by Litigants in the Courts of the Gold Coast and Indebtedness caused thereby. *Accra*, 1945. 47 pp.
373. HAYFORD, Caseley. Gold Coast Native Institutions *London*, 1903. pp. 93-4.
374. LEWIN, Julius. Native Courts and British Justice in Nigeria. *Africa*, 14, pp. 448-53. 1943-4.
- \*375. LUGARD, Sir F. D. The Dual Mandate. 4th ed. *Edinburgh*, 1929. pp. 536-69.
376. PERHAM, M. Native Administration in Nigeria. *London*, 1937. pp. 54-8, 91-6, 139, 243-6, 327-43.
- \*377. PHILLIPS, Arthur. Report on Native Tribunals (Kenya). *Nairobi*, 1945. 360 pp.
- \*378. ROGERS, H. Native Administration in the Union of S. Africa. *Johannesburg*, 1933. pp. 219-52.
- \*379. SCHAPER, I. The Work of Tribal Courts in the Bechuanaland Protectorate. *African Studies*, 2, pp. 27-40. 1943.
- \*380. UGANDA. Handbook on Native Courts, for the Guidance of Administrative Officers. *Entebbe*, 1941. 57 pp.  
Contains much useful guidance for Administrative and Judicial Officers in African Dependencies.

### (3) *Marriage and the Status of Women*

The following papers and books deal specifically with this subject. But most of the ethnographical works cited under the heading Native Law contain chapters dealing with marriage and the legal position of women:

381. BECKETT, W. E. The Recognition of Polygamous Marriages under English Law. *L. Q. R.* 48, pp. 341-73. 1932.
382. BRITTEN, H. 'Twala. The Recognition of Native Customary Unions.' *Bantu Studies*, 4, pp. 269-77. 1930.  
A discussion of the laws dealing with native marriages and particularly of the custom of abduction in the light of European law.
383. CROSBY, K. H. Polygamy in Mende Country. *Africa*, 10, pp. 249-64. 1937.  
Written from a missionary rather than a sociological standpoint.
384. CULWICK, A. T. and G. M. The Functions of Bride-Wealth in Ubeni of the Rivers. *Africa*, 7, pp. 140-59. 1934.
385. DEVAUX, V. Le Mariage en Droit coutumier congolais. *Bulletin des juridictions indigènes et du Droit coutumier congolais*, 14, pp. 189-200. 1946.
386. DRIBERG, J. H. The Status of Women among the Nilotics and Nilo-Hamitics. *Africa*, 5, pp. 404-21, 1932.
387. EAST, R. M. Akiga's Story: The Tiv Tribe as seen by one of its members. Translated and annotated by Rupert East. *London*, 1939. 436 pp.  
Chapter III deals with marriage. Also pp. 309-19.
- \*388. EVANS-PRITCHARD, E. E. Some Aspects of Marriage and the Family among the Nuer. Rhodes-Livingstone Paper No. 11. *Livingstone*, 1945. 70 pp.
389. EVANS-PRITCHARD, E. E. Nuer Bride-wealth. *Africa*, 16, pp. 247-57. 1946.
390. FORDE, DARYLL. Marriage and the Family among the Yakö in South Eastern Nigeria. *London*, 1941. 121 pp.
391. FORTES, M. Marriage Law among the Tallensi. *Accra*, 1937. 23 pp.
392. FORTES, M. Kinship, Incest and Exogamy of the Northern Territories of the Gold Coast. In 'Custom is King' (Essays presented to R. R. Marett). *London*, 1936, pp. 239-56.
393. GLUCKMAN, Max. A Comparative Study of the Instability of Lozi Marriages. Rhodes-Livingstone Paper. *Livingstone*. Forthcoming shortly.
394. HERSKOVITZ, M. J. A Note on 'Woman Marriage' in Dahomey. *Africa*, 10, pp. 335-41. 1937.
395. HUNTER, Monica. The Effects of Contact with Europeans on the Status of Pondo Women. *Africa*, 5, pp. 259-76. 1933.

# AFRICA

396. JENNINGS, A. E. Bogadi: A Study of the Marriage Laws and Customs of the Bechuana Tribes of South Africa. *Vryburg, S. Africa*, 1933. 62 pp.
397. LABOURET, H. Situation matérielle, morale et coutumière de la femme dans l'Ouest-Africain. *Africa*, 13, pp. 97-124. 1940.
398. LEITH-ROSS, S. African Women. A Study of the Ibo of Nigeria. *London*, 1939. 365 pp.
399. LESTRADE, G. P. The *Mala* System of the Venda-Speaking Tribes. *Bantu Studies*, 4, pp. 193-204. 1930.  
A good account of the Venda law of marriage.
400. LEWIN, Julius. Some Legal Consequences of Marriage by Native Christians in British Africa. *Modern Law Review*, 3, pp. 48-52. 1939.
401. LEWIN, Julius. Some Legal Aspects of Marriage by Natives in South Africa. *Bantu Studies*, 15, pp. 13-23. 1941.
402. LEWIN, Julius. Some Lobolo Cases in Native Law. *African Studies*, 3, pp. 129-39. 1944.
403. LEWIN, Julius. Two Forms of Marriage. In 'Studies in African Native Law'. *Cape Town*, 1947. pp. 32-48.
404. MAIR, L. P. Native Marriage in Buganda. Published by the O.U.P. for the International Institute of African Languages and Cultures. *London*, 1940. 33 pp.
405. MEEK, C. K. Marriage by Exchange in Nigeria. *Africa*, 9, pp. 64-74. 1936.
406. NATIVE CUSTOMS IN NYASALAND. No. 2. Marriage, Divorce, &c. *Zomba*, 1937. 11 pp.
- \*\*407. PHILLIPS, Arthur. Report on Native Tribunals (Kenya). *Nairobi*, 1945. pp. 291-306.
408. PIRON, Pierre. Le Mariage monogamique et le statut familial des Indigènes. *Lovania*, No. 8, pp. 110-43. 1945-6.
409. POSSELT, F. W. T. Native Marriage. *Nada*, 6, pp. 67-73. 1928.  
A discussion of the defects in the European law relating to native marriages.
410. READ, Margaret. The Moral Code of the Ngoni and Their Former Military State. *Africa*, 11, pp. 1-24. 1938.
411. REDWAR, H. W. Hayes. Comments on some Ordinances of the Gold Coast Colony, with Notes on a few Decided Cases. *London*, 1909. pp. 30-42 and 67.
412. RICHARDS, A. I. Bemba Marriage and Present Economic Conditions. Rhodes-Livingstone Paper No. 4. *Livingstone*, 1940. 123 pp.
413. SCHAPER, I. Pre-marital Pregnancy and Native Opinion. A Note on Social Change. *Africa*, 6, pp. 59-89. 1933.
414. SHROPSHIRE, D. W. T. Primitive Marriage and European Law. A South African Investigation (S. Africa, High Com. Territories and S. Rhodesia). *London, &c.*, 1945. 185 pp.

## NATIVE LAW AND PROCEDURE

- \*415. SMITH, E. W., and DALE, A. M. The Ila-Speaking Peoples of Northern Rhodesia. *London*, 1920. Vol. II, pp. 35-75.
- 416. SOHIER, A. Le Mariage en Droit coutumier congolais. *Brussels*, 1943. 248 pp.
- 417. THURNWALD, H. Changes in the Family Life and the Status of Women. In 'Black and White in East Africa' by R. C. Thurnwald. *London*, 1935. pp. 142-204.
- 418. TORDAY, E. The Principles of Bantu Marriage. *Africa*, 2, pp. 255-90. 1929.  
A useful summary, with some debatable conclusions
- \*419. WESTERMARCK, E. The History of Human Marriage. 5th ed. *London*, 1921. 3 vols

### (4) Witchcraft

- \*\*420. *AFRICA* 8, No. 4, 1935, was devoted to the above subject with articles (cited below) by E. E. Evans-Pritchard, H. Labouret, G. St. J. Orde Browne, C. Clifton Roberts, A. I. Richards, F. Melland, S. F. Nadel, Edwin Smith, together with accounts of witchcraft by various Africans.
- 421. BROWNE, G. St. J. Orde. Witchcraft and British Colonial Law. *Africa*, 8, pp. 481-7. 1935.
- \*422. EAST, R. M. Akiga's Story. The Tiv Tribe as seen by one of its members. Translated and annotated by Rupert East. *London*, 1939 Chaps. IV and V, pp. 176-295.
- \*423. EVANS-PRITCHARD, E. E. Sorcery and Native Opinion. *Africa*, 4, pp. 22-54. 1931.
- 424. EVANS-PRITCHARD, E. E. Witchcraft. *Africa*, 8, pp. 417-22. 1935.
- \*\*425. EVANS-PRITCHARD, E. E. Witchcraft, Oracles and Magic among the Azande. *Oxford*, 1937. xxv+558 pp.
- 426. FIELD, M. J. Religion and Medicine of the Gâ People. *London*, 1937. xii+214 pp.
- 427. LABOURET, H. La Sorcellerie au Soudan Occidental. *Africa*, 8, pp. 462-72. 1935.
- 428. MEEK, C. K. A Sudanese Kingdom. *London*, 1931. Chap. VII (Witchcraft and Medicines), pp. 294-331.
- 429. MELLAND, F. H. Ethical and Political Aspects of African Witchcraft. *Africa*, 8, pp. 495-503. 1935.
- 430. NADEL, S. F. Witchcraft and Anti-Witchcraft in Nupe Society. *Africa*, 8, pp. 423-45. 1935.
- 431. RICHARDS, A. I. A Modern Movement of Witch-Finders. *Africa*, 8, pp. 448-61. 1935.
- 432. ROBERTS, C. C. Witchcraft and Colonial Legislation. *Africa*, 8, pp. 488-93. 1935.

## AFRICA

433. SANTANDREA, S. Evil and Witchcraft among the Ndogo Group of Tribes. *Africa*, 11, pp. 459-81. 1938.
434. SMITH, E. W. Inzuikizi (Witchcraft) *Africa*, 8, pp. 473-80. 1935.

### (5) Basutoland

435. BASUTOLAND. Basutoland Native Laws of Lerotholi as amended by the National Council of 1922. 1922. 12 pp.  
'An unofficial code of the customary law for the guidance of tribal courts, defining the rights and powers of chiefs and tribesmen, judicial procedure, seduction, principles of stock theft, &c.' (Schapera)

### (6) Bechuanaland

436. SCHAPERA, I. A Handbook of Tswana Law and Custom. London, 1938. xiv+326 pp.  
A comprehensive account of the law and legal institutions of the Tswana tribe, dealing mainly with the traditional law, but showing the changes it has undergone as a result of European influence.
437. SCHAPERA, I. Tribal Legislation among the Tswana of the Bechuanaland Protectorate. London, 1943. 101 pp.

### (7) Belgian Congo

Much attention has been given to the study of native customary law in the Belgian Congo. The Société d'Études Juridiques du Katanga publishes, six times annually, (i) *Bulletin des Juridictions indigènes et du Droit coutumier congolais*, and (ii) *Revue juridique du Congo belge*, and has published numerous *Brochures*. L'Association des Anciens Élèves d'Astrida in 1946 commenced publication twice annually of the *Bulletin de Jurisprudence des Tribunaux indigènes du Ruanda-Urundi*.

438. BRAUSCH, G. La Justice coutumière chez les Bakwa Luntu. *African Studies*, 1, No. 4, pp. 235-42. 1942.
439. HAILEY, Lord. An African Survey. London, 1938. pp. 277-8 and 840-1.
440. POSSOZ, E. Éléments de droit coutumier nègre. *Élisabethville*, 1942. 237 pp.
441. SOHIER, A. Une branche inexplorée du droit: le droit coutumier congolais. *Congo*, 1, pp. 321-57, 1935.
442. SOHIER, A. Notes sur l'organisation et la procédure judiciaires coutumières des indigènes du Congo belge. *Africa*, 13, pp. 25-42. 1940.
443. VAN DER KERKEN, G. La Justice indigène au Congo belge. *Outre-Mer*, Paris, 2, pp. 418-25. 1930.

### (8) French Territories

For Algeria see 'Muhammadan Law'. For French West Africa generally see the *Bulletin du Comité d'Études Historiques et Scientifiques de l'Afrique Occidentale Française*.

## NATIVE LAW AND PROCEDURE

444. BRUNO, H. La Justice indigène au Maroc. *L'Afrique Française*, 43, pp. 74-7 and 161-4. 1933.  
A critical study of the native court system in Morocco.
445. COUTUMIERS JURIDIQUES DE L'AFRIQUE OCCIDENTALE FRANÇAISE. Paris, 1939. 3 vols. 348: 400: 610 pp.  
Vol. I, Sénégal; Vol. II, Soudan; Vol. III, Mauritanie, Niger, Côte d'Ivoire, Dahomey, Guinée Française.
446. DELAFOSSE, M. Haut-Sénégal. Niger. Les pays, les peuples, les langues, l'histoire, les civilisations. Paris, 1912. 3 vols. 428: 428: 316 pp.  
Contains much information on native law, to which the attention of French administrative officers has been constantly directed. See especially Vol. III, pp. 40-159.
447. GEISMAR, L. Recueil des Coutumes civiles des races du Sénégal, Saint-Louis, 1933. 224 pp.  
A complete study of the customary law of a French colony.
448. HERSKOVITS, M. J. Dahomey. *New York*, 1938. 2 vols. xxii+402: xv+407 pp.
449. LABOURET, H. Les Tribus du Rameau Lobi. Paris, 1931. pp. 367-94.
450. TESSMANN, S. Die Pangwe. Völkerkundliche Monographie eines westafrikanischen Negerstammes. Berlin, 1913. 2 vols. 275: 402 pp.
451. VIEILLARD, G. Notes sur les coutumes des Peuls au Fouta Djallon. Paris, 1939. 124 pp.
452. WESTERMARCK, E. The Blood-Feud among some Berbers of Morocco. In 'Essays presented to C. G. Seligman'. London, 1934. pp. 361-8.

### (9) *Gold Coast and Togoland*

453. CARDINALL, A. W. The Natives of the Northern Territories of the Gold Coast. London. n.d. xii+158 pp.  
Pp. 50-6 deal with 'Justice'.
- \*454. DANQUAH, J. B. Akan Laws and Customs and the Akim Abuakwa Constitution. London, 1928. x+272 pp.
- \*455. DANQUAH, J. B. Cases in Akan Law: Decisions delivered by Sir Ofori Atta (Paramount Chief of Akim Abuakwa). London, 1928. 288 pp.
456. ELLIS, A. B. The Tshi-Speaking People of the Gold Coast. London, 1887. 343 pp.  
Chapter XX (pp. 281-305) deals with 'Laws'. Still useful.
457. ELLIS, A. B. The Ewe-Speaking Peoples of West Africa. London, 1890. 331 pp.  
Chapter XIII (pp. 199-228) deals with 'Laws and Customs'.

## AFRICA

- \*458. FIELD, M. J. Social Organisation of the Gà People. *Accra and London*, 1940. 231 pp.  
See especially pp. 23-59, 106-13, and 165-8.
- \*459. FORTES, M. The Dynamics of Clanship among the Tallensi. *London, Etc.*, 1945. xx+270 pp.  
See especially pp. 224-58
- 460. FREEMAN, R. A. Travels and Life in Ashanti and Jaman. *Westminster*, 1898. xx+559 pp.
- \*461. HAVERS, C. R. Report of Commission of Inquiry into Expenses incurred by Litigants in the Courts of the Gold Coast and Indebtedness caused thereby *Accra*, 1945. 47 pp.  
See especially paras. 11, 14, 15, 31, 69, 70.
- 462. HAYFORD, Caseley. Gold Coast Native Institutions. *London*, 1903. 418 pp.
- \*\*463. RATTRAY, R. S. Ashanti Law and Constitution. *Oxford*, 1929. xx+420 pp.
- 464. RATTRAY, R. S. The Tribes of the Ashanti Hinterland. *Oxford*, 1932. 2 vols. 604 pp.
- \*\*465. REDWAR, H. W. Hayes. Comments on some Ordinances of the Gold Coast Colony, with Notes on a few Decided Cases. *London*, 1909. 296 pp.
- \*466. RENNER, P. A. (ed.) Reports, Notes of Cases and Proceedings and Judgments in Appeals . . . relating to the Gold Coast Colony, and the Colony of Nigeria, from 1861 to 1914. Collected by P. A. Renner. *London*, 1915. 2 vols. 839 pp.
- 467. SARBAH, J. M. Fanti Law Report of Decided Cases on Fanti Customary Laws. Second Selection. *London*, 1904. 189 pp.
- \*\*468. SARBAH, J. M. Fanti Customary Laws. A brief introduction to the principles of the native laws and customs of the Fanti and Akan districts of the Gold Coast, with a report of some cases thereon decided in the law courts. 2nd ed. *London*, 1904. 317 pp.
- 469. SPIETH, J. Die Ewe-Stämme (Togoland). *Berlin*, 1906. 962 pp.

### (10) Kenya

- 470. BROWNE, G. St. J. Orde. The Vanishing Tribes of Kenya. *London*, 1925. 284 pp.  
Chap. IV, pp. 52-62, deals with Law; Chap. V, pp. 63-9, with Land Tenure, and Chap. VI, pp. 70-7, with Marriage Laws.
- 471. DUNDAS, C. Kilimanjaro and Its People. *London*, 1924. 439 pp.  
Chap. IX, pp. 278-97, deals with the Constitution and Law of the Chagga.
- 472. EVANS-PRITCHARD, E. E. The Political Structure of the Nandi-speaking Peoples of Kenya. *Africa*, 13, pp. 250-67. 1940.  
Contains useful information on the judicial organization.

## NATIVE LAW AND PROCEDURE

473. HOBLEY, C. W. *Ethnology of the A-kamba and other East African Tribes. Cambridge, 1910. xvi+170 pp.*  
 Pp. 78-84 deal with law and land tenure Also pp. 136-45
  474. HOBLEY, C. W. *Bantu Beliefs and Magic. London, 1922. 312 pp.*  
 Revised ed. 1938. 368 pp.  
 Refers to the Kikuyu and Kamba tribes See especially pp. 209-43  
 (working of councils, compensation for murder, ceremonial oaths).  
 also pp. 103-53 (the curse and its manifestations).
  475. HOLLIS, A. C. *The Masai: their Language and Folklore. Oxford, 1905. pp. 309-14.*
  476. HOLLIS, A. C. *The Nandi: their Language and Folklore. Oxford, 1909. pp. 72-6.*
  - \*477. LINDBLOM, Gerhard. *The Akamba in British East Africa. 2nd ed. Upsala, 1920. 607 pp.*  
 Chapter XI (pp. 152-85) has much useful information on the administration of the law and on judicial customs
  478. PERISTIANY, J. G. *The Social Institutions of the Kipsigis. London, 1939. xvi+288 pp.*
  - \*\*479. PHILLIPS, Arthur. *Report on Native Tribunals. Nairobi, 1945. 360 pp.*  
 See especially pp. 270-308.
  480. WAGNER, G. *The Changing Family among the Bantu Kavirondo. Memorandum No. 18. Published by the O.U.P. for the International Institute of African Languages and Cultures. London, 1939. 52 pp.*
- (11) *Liberia*
481. WESTERMANN, D. *Die Kpelle, ein Negerstamm in Liberia. Göttingen, 1921. 552 pp.*
- (12) *Nigeria*
482. ABRAHAM, R. C. *The Tiv People. Lagos, 1933. 239 pp.*
  483. AJISAFE, A. K. *The Laws and Customs of the Yoruba People. London, 1924. 97 pp.*
  484. DENNETT, R. E. *Nigerian Studies. London, 1910. 299 pp.*
  485. DOWNES, R. M. *The Tiv Tribe. Kaduna, 1933. 101 pp.*
  - \*486. EAST, R. M. *Akiga's Story. The Tiv Tribe as seen by one of its members. Translated and annotated by Rupert East. London, 1939. 436 pp.*  
 See especially pp. 319-26 and 338-47
  487. ELLIS, A. B. *The Yoruba-speaking Peoples of the Slave Coast. London, 1894. 402 pp.*  
 Chapter 81 deals with Laws and Customs.
  - \*488 FORDE, Daryll. *Government in Umor. Africa, 12, pp. 129-61. 1939.*

## AFRICA

489. HIVES, F. *Justice in the Jungle. London, 1932. 239 pp.*  
A popular account by a retired British Administrative Officer of Southern Nigeria.
490. HIVES, F. and Lumley, G. *Ju-ju and Justice in Nigeria. London, 1930. 254 pp.*  
Somewhat melodramatic
- \*491. JOHNSON, S. *The History of the Yorubas. London, 1921. 684 pp.*  
See especially Chapter VIII.
492. MEEK, C. K. *The Northern Tribes of Nigeria. London, 1925. 2 vols. xviii+312: 277 pp.*  
Vol. I, pp. 258-93, deals with native law.
493. MEEK, C. K. *A Sudanese Kingdom. London, 1931. xxxiii+548 pp.*  
Chapter VIII and pp. 286, 304-9, and 385-90 deal with government and law among the Jukun of Nigeria
494. MEEK, C. K. *Ibo Law. In 'Essays presented to C. G. Seligman'. London, 1934. pp. 209-26.*
- \*495. MEEK, C. K. *Law and Authority in a Nigerian Tribe. London, &c., 1937. xvi+372 pp.*
- \*496. NADEL, S. F. *A Black Byzantium. The Kingdom of Nupe in Nigeria. London, &c., 1942. 420 pp.*  
See especially pp. 56-7, 67, 92, 137, 165-74, 182-96, 310-13.
497. PARTRIDGE, C. *Native Law and Custom in Egbaland. J. Afr. Soc. 10, pp. 422-33. 1911.*
- \*498. TALBOT, P. A. *The Peoples of Southern Nigeria. London, 1926. 4 vols. xii+365: xx+415: x+426-976: 234 pp.*  
Especially Vol. III, pp. 617-92.
499. TALBOT, P. A. *Tribes of the Niger Delta. London, 1932. xi+350 pp.*
- \*500. TEMPLE, O. *Notes on the Tribes, Provinces, Emirates and States of the Northern Provinces of Nigeria. Compiled from official reports by O. Temple. Edited by C. L. Temple. 2nd ed. Lagos, 1922. 577 pp.*  
Contains much valuable information on native law, collected by experienced administrative officers.
501. THOMAS, N. W. *Anthropological Reports on the Edo-Speaking Peoples of Nigeria. London, 1910. 2 vols. 163: viii+251 pp.*  
Part I (especially pp. 103-11) deals with law and custom
502. THOMAS, N. W. *Anthropological Reports on the Ibo-Speaking Peoples of Nigeria. London, 1913-14. 6 vols.*  
Part IV (208 pp.) deals with law and custom.
503. TREMEARNE, A. J. N. *Native Law and Procedure in British West Africa. J. Comp. Leg. New Series, 15, pp. 95-103. 1915.*

## NATIVE LAW AND PROCEDURE

### (13) *Northern Rhodesia*

- \*504. DOKE, C. M. *The Lambas of Northern Rhodesia. London, 1931. 408 pp.*  
 Chapter IV deals with Lamba Law; Chapter V with Slavery; Chapter X with Marriage, and Chapter XIX with Witchcraft and Trial by Ordeal.
505. GOULDSBURY, C. Notes on the Customary Laws of the Awemba and Kindred Tribes. *J. R. Afr. Soc.* 14, pp. 366-85, and 15, pp. 157-83. 1915.
506. RICHARDS, A. I. *Hunger and Work in a Savage Tribe. London, 1932. 238 pp.*
507. RICHARDS, A. I. Mother-Right among the Central Bantu. In 'Essays presented to C. G. Seligman'. *London, 1934. pp. 267-79.*
- \*508. SMITH, E. W., and DALE, A. M. *The Ila-Speaking Peoples of Northern Rhodesia. London, 1920. 2 vols. 423: 433 pp.*  
 See especially Vol I, pp. 343-423.
509. STIRKE, D. W. *Barotseland. London, 1922. pp. 108-14.*

### (14) *Nyasaland*

510. NATIVE CUSTOMS IN NYASALAND No. 2. Marriage, Divorce, Succession, Inheritance. *Zomba, 1937, 11 pp.*

### (15) *Sierra Leone*

511. FENTON, J. S. *Outline of Sierra Leone Native Law. Freetown, 1933. vii+50 pp.*
512. HOLLINS, N. C. Mende Law. *Sierra Leone Studies*, 12, pp. 25-44. June, 1928.
513. THOMAS, N. W. *Anthropological Report on Sierra Leone. Part I, Law and Custom of the Timne and other Tribes. London, 1916. 196 pp.*

### (16) *South Africa and Southern Rhodesia*

- \*514. BROOKES, E. H. *The History of Native Policy in South Africa from 1830 to the present day. Pretoria, 1924. 2nd revised ed., 1927. xii+524 pp.*  
 Includes chapters dealing with the content, recognition, and codification of native law.
- \*\*515. BUELL, R. L. *The Native Problem in Africa. New York, 1928. 2 vols. 1045: 1101 pp.*
- \*516. BULLOCK, C. *The Mashona. Cape Town, 1928. 400 pp.*  
 Contains sections on law and custom and the relation between the native and European legal systems.
517. BULLOCK, C. Can a Native Make a Will? Concepts of testate succession in Native Law. *Nada*, 7, pp. 104-9, 1927.

## AFRICA

- 518 CAPE OF GOOD HOPE. Report and Proceedings, with Appendices, of the Government Commission on Native Laws and Customs *Cape Town*, 1883. 54+81+599+426 pp.  
A most important source for the study of policy regarding the application and development of native law.
- 519 DE KIEWIET, C. W. Social and Economic Developments in Native Tribal Life. In 'The Cambridge History of the British Empire'. *Cambridge*, 1936. Vol. VIII, 'South Africa': Chap. XXX, pp. 808-28.
520. GARTHORNE, E. R. Applications of Native Law. *Bantu Studies*, 3, pp. 245-59. 1927.  
'An important study of the policies of the pre-Union Governments regarding the recognition and application of native law' (Schapera).
521. HARRIES, C. L. The Laws and Customs of the Bapedi and Cognate Tribes of the Transvaal. *Johannesburg*, 1929. ix+158 pp.
522. HUNTER, MONICA. Reaction to Conquest. Effects of Contact with Europeans on the Pondo of South Africa. *London*, 1936. xx+582 pp.  
Pp. 413-27 deal with the maintenance of order, courts, law.
523. JACKSON, H. M. G. Notes on Matabele Customary Law. *Nada*, 4, pp. 30-4, 1926; 5, pp. 7-14, 1927; 6, pp. 7-11, 1928.
- \*524. JUNOD, H. A. The Life of a South African Tribe. 2nd ed. *London*, 1927. 2 vols. 559: 660 pp.  
This work, first published in 1912, remains one of the most authoritative works on African peoples and their systems of regulating conduct. Volume I, especially, contains much important data on tribal courts and tribal law.
525. KRIGE, E. J. The Social System of the Zulus. *London, &c.*, 1936. pp. 223-32.
526. KRIGE, E. J., and KRIGE, J. D. The Realm of a Rain-Queen. *London, &c.*, 1943. 335 pp.  
Especially Chapter XI (The Genius of Juridical Adjustments).
527. KRIGE, J. D. Some Aspects of Lovhedu Judicial Arrangements. *Bantu Studies*, 13, pp. 113-29. 1939.
528. LEWIN, JULIUS. The Recording of Native Law and Custom. *J. R. Afr. Soc.* 37, pp. 483-93. 1938.
529. LEWIN, JULIUS. The Recognition of Native Law and Custom in British Africa. *J. Comp. Leg.* 20, pp. 16-23. 1938.
530. LEWIN, JULIUS. Crime and Punishment in Africa. *Howard Journal*, 5, pp. 245-8. 1940.
531. LEWIN, JULIUS. Native Law and Its Background; The Limits of Tribal Law in Modern Bantu Life. *Race Relations*, 7, pp. 42-8. 1940.
532. LEWIN, JULIUS. A Short Survey of Native Law in South Africa. Reprinted from *Bantu Studies*, June, 1941. 26 pp.

## NATIVE LAW AND PROCEDURE

533. LEWIN, Julius. Some Problems involved in the Recognition of African Native Law. *J. Comp. Leg.* 3rd Series, 24, Pt. II, pp. 108-13. 1942.
534. LEWIN, Julius. Native Courts and British Justice in Africa. *Africa*, 14, pp. 448-53. 1944.
- \*535. LEWIN, Julius. An Outline of Native Law. *Johannesburg*, 1944. 30 pp.
536. LEWIN, Julius. Some Cases of Inheritance in Native Law. *African Studies*, 4, No. 2, pp. 71-87. 1945.
- \*537. LEWIN, Julius. Studies in African Native Law. *Cape Town*, 1947. 174 pp.
538. MACLEAN, Col. (ed.). A Compendium of Kafir Laws and Customs. *Mount Coke*, 1858. vii+168 pp. Reprinted, *Grahamstown*, 1906. viii+171 pp.  
 Compiled by Colonel Maclean, Chief Commissioner of British Kaffraria, and containing much valuable information on the principles and application of native law and custom.
- \*539. *RACE RELATIONS* 12, Nos. 3 and 4, 1945. 60 pp.  
 This number of *Race Relations* is devoted to the subject of crime and penal reform in South Africa and contains articles by Mr. Justice O. D. Schreiner (The Prisoner in Court), Julius Lewin (Crime in relation to Native Policy), W. G. Hoal (The Problem of the Trivial Offender), Alan Paton (The Prevention of Crime), S. P. Watson (Prison Conditions), E. S. Read (The After-Care and Rehabilitation of Ex-Convicts), W. D. Marais (Reformatories and Other Alternatives), H. P. Junod (The Question of Capital Punishment), and J. D. Rheinhardt Jones (Findings of the Penal Reform Conference).
540. RAMSAY, T. D. Tsonga Law in the Transvaal. *Pretoria*, 1941. 33 pp.
- \*541. ROGERS, H. Native Administration in the Union of South Africa. An official publication *Johannesburg*, 1933. (Special Number of *Bantu Studies*.) xvi+371 pp.  
 Chap. IX, pp. 219-52, deals with the recognition of native law, the judicial systems provided for natives, marriage, succession, &c. Chap. VI, pp. 111-71, deals with Native Land Administration.
542. SCHAPER, I. (ed.). The Bantu-Speaking Tribes of South Africa: An ethnographical survey, edited for the South African Inter-University Committee for African Studies. *London*, 1937. xv+453 pp.  
 See especially pp. 173-95 (Political Institutions) and 197-219 (Law and Justice). The latter section gives a comprehensive survey of the nature, sources, and divisions of Bantu law, contracts, civil wrongs, penal offences, and procedure.
- \*543. SEYMOUR, W. M. Native Law and Custom—being a compendium of the recognised native customs in force in the native territories of the Colony of the Cape of Good Hope. *Cape Town*, 1911. xiv+208 pp.  
 'Shows changes in Native Law brought about by the Courts and legislature' (Schapera).

## AFRICA

544. SIMONS, H. J. The Study of Native Law in South Africa. *Bantu Studies*, 12, pp. 237-42. 1938.
545. SOGA, J. H. The South-Eastern Bantu. *Johannesburg*, 1930. xxxi+490 pp.
546. SOGA, J. H. The Ama-Xosa: Life and Customs. *London*, 1931. 432 pp.
- \*547. STAFFORD, W. G. Native Law as practised in Natal. *Johannesburg*, 1935. viii+208 pp.  
     'A commentary on the Natal Code of Native Law, with decisions of the Courts and relevant Government Notices and Proclamations' (Schapera)
- \*548. UNION OF SOUTH AFRICA. Natal Code of Native Law. *Pretoria*, 1932. 32 pp. Reproduced in full in *African Studies*, 2, pp. 1-26. 1943.  
     A statutory presentation of native law as administered in the Courts of Natal.
- \*\*549. WHITFIELD, G. M. B. South African Native Law. *Cape Town*, 1929. xii+507 pp.  
     'A treatise based mainly on decisions of Courts, especially in the Cape, showing changes in Native Law' (Schapera).
- \*550. WILLE, G. Principles of South African Law. 2nd ed. *Cape Town*, 1945. lviii+533 pp.

### (17) *Swaziland*

- \*551. MARWICK, B. A. The Swazi. *Cambridge*, 1940. xvii+320 pp.  
     Pp 280-7 give a brief, but excellent, account of 'The Regulation of Public Life—The Legal System'. See also pp. 46-7, 66-8, 181, 195-217, and 296-8.

### (18) *Tanganyika Territory*

552. ANKERMANN, B. Ostafrika. Vol. I of Das Eingeborenenrecht, ed. by E. Schultz-Ewerth and Leonhard Adam. *Stuttgart*, 1929. 380 pp.
- \*553. CORY, H., and HARTNOLL, M. M. Customary Law of the Haya Tribe, Tanganyika Territory. *London*, 1945. 299 pp.
554. CULWICK, A. T. and G. M. Ubena of the Rivers. *London*, 1935. 425 pp.  
     See especially pp. 203-21 (Crime, Courts, and Sanctions)
- \*555. GUTMANN, B. Das Recht der Dschagga. *Munich*, 1928. 778 pp.  
     An important work by a German missionary in Tanganyika. It includes sections on the laws governing kinship, land, chieftainship, crime, procedure, and evidence.
556. HALL, R. de Z. Nyakyusa Law from Court Records. *African Studies*, 2, pp. 153-61. 1943.
- \*557. WILSON, Godfrey. Introduction to Nyakyusa Law. *Africa*, 10, pp. 16-36. 1937.

## NATIVE LAW AND PROCEDURE

### (19) *Uganda*

- \*558. AMATEKA GA BAZALIRANWA AGE BUGANDA. Native Laws of Buganda. Revised ed. 1941. Uganda Printing and Publishing Co. Ltd. 92 pp.
- 559. DRIBERG, J. H. The Lango: a Nilotic Tribe of Uganda. *London*, 1923. pp. 210-15.
- 560. EDEL, M. M. Property among the Ciga in Uganda. *Africa*, 11, pp. 325-41. 1938.
- 561. HONE, H. R. The Native of Uganda and the Criminal Law. *Ug. J.* 6, pp. 1-16. *Kampala*, July 1938. Also *J. Comp. Leg.* 3rd Series, 22, pp. 179-97. 1939.
- 562. ROLIN, H. Le Droit de l'Uganda. *Brussels, Paris, London*, 1910. 428 pp.  
Largely out of date.
- 563. ROSCOE, J. The Baganda. *London*, 1911. 547 pp.  
See especially pp. 232-90 dealing with government and law
- 564. TURTON, N., GRIFFIN, J. B., and LEWEY, R. W. Native Agreements and Buganda Native Laws. (Vol. VI of 'Laws of the Uganda Protectorate'.) *Entebbe and London*, 1936. pp. 1365-1523.

## (B) *ASIA*

### (1) *Andaman Islands*

- 565. MAN, E. H. On the Aboriginal Inhabitants of the Andaman Islands. *London*, 1885. Reprinted, 1932. pp. 40-5.
- \*566. RADCLIFFE-BROWN, A. R. The Andaman Islanders. Revised ed. *Cambridge*, 1933. pp. 45-53, 70-87, and 229-39.

### (2) *Ceylon*

- 567. ARUNACHALAM, P. A Digest of the Civil Law of Ceylon. *London*, 1910. Vol. I. Persons Natural and Juristic. xxvii+388+clxxxv pp.
- 568. CEYLON. Report of the Thesawalamai Commission. S.P. No. III of 1930. *Colombo*, 1930, 6 pp. Supplementary Report. S.P. No. I of 1933. *Colombo*, 1933, 7 pp.
- 569. CEYLON. Report of the Kandyan Law Commission. S.P. No. XXIV of 1935. *Colombo*, 1935. 44 pp.
- \*570. HAYLEY, F. A. A Treatise on the Laws and Customs of the Sinhalese, including the portions still surviving under the name Kandyan Law. *Colombo*, 1923. 505+112 pp.
- \*571. MODDER, F. The Principles of Kandyan Law. *London*, 1914. lxxxii+640+clvi pp.
- 572. PEREIRA, J. C. W. The Laws of Ceylon. 2nd ed. *Colombo*, 1913. 850 pp.
- 573. SELIGMANN, C. G. and B. Z. The Veddās. *Cambridge*, 1911. xx+413 pp.

(3) *India*

574. RATTIGAN, W. H. A Digest of Civil Law for the Punjab, chiefly based on the Customary Law as at present ascertained 7th ed. revised up to June, 1909, by H. A. B. Rattigan. *London and Lahore*, 1909. xlvii+384 pp.
575. ROSE, H. A. Compendium of the Punjab Customary Law. 2nd ed. *Lahore*, 1911. iii+240+lxv pp.
576. TUPPER, C. L. Punjab Customary Law. *Calcutta*, 1881. 3 vols. Vol. I. A Selection from the Records of the Punjab Government. 227 pp. Vol. II. Statements of Customary Law in Different Districts. 289 pp. Vol. III. Questions on Tribal and Local Custom. 255 pp.

(4) *Malaya and Dutch East Indies*

- 577 ADATRECHTBUNDEL. 1-41. 's-Gravenhage, 1910-41.  
Bezorgd door de Commissie voor het adatrecht en uitgegeven door het Koninklijk Instituut voor de Taal-, Land- en Volkenkunde van Nederlandsch-Indië
578. BLAGDEN, C. O. Minangkabau Custom. *Journal of the Malayan Branch, Royal Asiatic Society*, 8, Pt. II, pp. 307-13. 1930.
579. DE KAT ANGELINO, A. D. A. Colonial Policy. Abridged tr. by G. J. Renier, in collaboration with the author. *The Hague*, 1931. 2 vols. 530: 674 pp.
580. DE MOUBRAY, G. A. de C. Matriarchy in the Malay Peninsula. *London*, 1931. ix+292 pp.
581. *ENCYCLOPAEDIE VAN NEDERLANDSCH-INDIË*. 's-Gravenhage, 1917-39. 8 vols.
582. FURNIVALL, J. S. Netherlands India. *Cambridge*, 1939. 502 pp.  
See especially pp. 11, 12, 36, 44, 218, 295-6.
583. KLEINTJES, Ph. Staatsinstellingen van Nederlandsch-Indië. 1929-33. 2 vols.
584. KOLLEWIJN, R. D. Inter-racial Private Law. In 'The Effects of Western Influence on Native Civilizations in the Malay Archipelago'. Ed. by B. Schrieke. *Batavia*, 1929. pp. 204-36.
585. KORN, V. E. Het adatrecht van Bali 's-Gravenhage, 1924. 562+ viii+ viii pp. 2nd revised ed. 1932. xii+706 pp.
586. MALLINCKRODT, J. Het adatrecht van Borneo. *Leiden*, 1928. 2 vols. 612: 255 pp.
587. NETHERLANDS EAST INDIES. Handbook of the Netherlands East Indies, 1930. Departement van landbouw, nijverheid en handel. *Batavia and Weltevreden*, 1931. 424 pp.
588. PANDECTEN VAN HET ADATRECHT. Mededeling no. IV, afdeling Volkenkunde no. 2 van het Kolonial Instituut.  
1. Het beschikkingsrecht over grond en water. *Amsterdam*, 1914. ix+610 pp.

## NATIVE LAW AND PROCEDURE

2. Het voorkeursrecht op grond en het genoterecht van grond. *Amsterdam*, 1915. x+237 pp.
3. Het inlandsch bezitrecht van grond en het bewerkingsrecht van grond. *Amsterdam*, 1916. x+553 pp.
- 4a. De overige rechten op grond en water. *Amsterdam*, 1918. x+618 pp.
- 4b. Idem. *Amsterdam*, 1918. pp. 619-1302.
5. Het erfrecht. *Amsterdam*, 1920. viii+634 pp.
6. Het recht om te huwen en het recht inzake verloving. *Amsterdam*, 1921. vii+525 pp.
7. Het recht inzake huwelijksluiting. *Amsterdam*, 1924. vii+613 pp.
8. Het recht inzake gezinsleven en huwelijksontbinding. *Amsterdam*, 1926. vii+850 pp.
9. Schuldenrecht. *Amsterdam*, 1931. vii+774 pp.
10. Adatstrafrecht. *Batavia*, 1936. xi+795 pp.
589. SCHRIEKE, J. J. Inleiding in het staatsrecht van Nederlands-India. *Haarlem*, 1940. 267 pp.
- \*590. TAYLOR, E. N. The Customary Law of Rembau. *Journal of the Malayan Branch, Royal Asiatic Society*, 7, Pt. I, pp. 1-289. 1929.  
A most useful article, based on decided cases on the customary law of a people in Malaya. It was written by a member of the Malayan Civil Service.
591. TAYLOR, E. N. Malay Family Law. *Singapore*, 1937. 78 pp.  
Many court cases cited.
592. TER HAAR, B. Beginselen en stelsel van het adatrecht. *Groningen-Batavia*, 1939. 262 pp.
593. VAN HINLOOPEN LABBERTON, D. Dictionnaire de termes de droit coutumier indonésien. *The Hague*, 1934. 732 pp.
- \*\*594. VAN VOLLENHOVEN, C. Het adatrecht van Nederlandsch-Indië. *Leiden*, 1918-33. 3 vols. Vol. I, 804 pp., 1918; Vol. II, Pts. I and II, pp. 1-408 and 409-928, 1931; Vol. III, Pts. I and II, pp. 1-528 and 529-872, 1933.
595. VAN VOLLENHOVEN, C. Taalfamilien en rechtsfamilien. *Amsterdam*, 1920.
596. VERGOUWEN, J. C. Het rechtsleven der Toba-Bataks. 's-Gravenhage, 1933. xi+591 pp.
597. WILKINSON, R. J. (ed.) Papers on Malay Subjects—Law, Part I, 'Introductory Sketch', by the editor, 68 pp. Part II, 'The Ninety-Nine Laws of Perak', by J. Rigby, 86 pp. *Kuala Lumpur*, 1908.

## (C) PACIFIC

- \*598. BARTON, R. F. Ifugao Law. *University of California Publications in American Archaeology and Ethnology*, 15, pp. 1-127. 1919.
- \*599. FIRTH, Raymond. Primitive Economics of the New Zealand Maori. *London*, 1929. xxvi+505 pp.

## PACIFIC

600. FURNIVALL, J. S. Netherlands India. *Cambridge*, 1939. pp. 293-301.
- \*\*601. HOGGIN, H. I. Law and Order in Polynesia. With an Introduction by B. Malinowski. *London*, 1934. lxxii+296 pp.  
     The Introduction by Professor Malinowski is of especial interest.
602. HOGGIN, H. I. Sorcery and Administration. *Oceania*, 6, pp. 1-32. 1935.
603. HOGGIN, H. I. Experiments in Civilization. *London*, 1939. pp. 147 ff.
- \*604. KABERRY, Phyllis M. Law and Political Organization in the Abalam Tribe, New Guinea. *Oceania*, 12, pp. 79-95, 209-25, 331-63. 1941-2.  
     An up-to-date study of law in a primitive community.
- \*\*605. MALINOWSKI, B. Crime and Custom in Savage Society. *London*, 1926. 129 pp.
606. SCHULTZ-EWERTH, E. The Most Important Principles of Samoan Family Law and the Laws of Inheritance. Tr. by B. Richmond. *J. Pol. Soc.* 20, pp. 43-53. 1911.
607. STREHLOW, T. G. Notes on Native Evidence and its value. *Oceania*, 6, pp. 323-35. 1936.
608. TODD, J. A. Native Offences and European Law in South-West New Britain. *Oceania*, 5, pp. 437-60. 1935.
609. TODD, J. A. Redress of Wrongs in South-West New Britain. *Oceania*, 6, pp. 401-40. 1936.
610. WHEELER, G. C. The Tribe, and Intertribal Relations in Australia. *London*, 1910. xii+168 pp.
611. WILLIAMS, F. E. Orokaiva Society. *London*, 1930. xxiii+355 pp.

## (D) MISCELLANEOUS AREAS

612. COHEN, FELIX S. Handbook of Federal Indian Law. U.S. Government Publication. *Washington*, 1941. 662 pp.  
     A book of first-rate importance for comparative purposes.
613. EVANS-PRITCHARD, E. E. The Nuer. *Oxford*, 1940. 271 pp.  
     See especially Chap IV, pp 139-91.
- \*614. KENNETT, A. Bedouin Justice: Laws and Customs among the Egyptian Bedouin. *Cambridge*, 1925. xiv+158 pp.
615. KROEBER, A. L. Handbook of the Indians of California. United States Bureau of American Ethnology. Bulletin No. 78. 1925. xviii+995 pp.
616. KROEBER, A. L. Laws of the Yurok Indians. In 'Congresso Internazionale degli Americanisti', Rome, 1926. Atti, *Rome*, 1928. Vol. II. pp. 511-16.

## 10. LAND TENURE

Students interested in land tenure should consult the land codes of the various colonies, the Law Reports including those of the Privy Council, the official handbooks which generally contain a chapter on land, and the annual reports of the local governments on the social and economic progress of the people, which also contain sections on land administration. The annual reports of the local Land and Agricultural and Forestry Departments should also be consulted. Many of the works specified under the heading of 'Native Law' contain chapters on land tenure.

### (a) General (including Registration of Title to Land)

617. ALLAN, William. African Land Usage. *Rhodes-Livingstone Journal*, 3, pp. 13-20. June, 1945.
618. BADEN-POWELL, B. H. Land Systems of British India. *Oxford and London*, 1892. 3 vols.  
An important work for the study of the development of land tenures.
619. BORDWELL, P. Article 'Land Transfer'. *Enc. Soc. Sci.* 9, pp. 127-31. 1933.
- \*\*620. CHESHIRE, G. C. The Modern Law of Real Property. 5th ed. *London*, 1944. xlv+878+70 pp.
- \*621. COHEN, Felix S. Handbook of Federal Indian Law. *Washington*, 1941. pp. 206-38.
- \*622. DARLING, M. L. The Punjab Peasant in Prosperity and Debt. 3rd ed. *London*, 1932. 291 pp.
623. DIGBY, K. E. An Introduction to the History of the Law of Real Property. 5th ed. *Oxford and London*, 1897. 448 pp.
- \*624. DOWSON, Sir E., and SHEPPARD, V. L. O. An Introductory Note on Registration of Title to Land. *London*, 1929. 12 pp.
- \*625. DOWSON, Sir E., and SHEPPARD, V. L. O. Work of the Cadastral Survey and Land Records Office, 1932-45. *Empire Survey Review*, 8, pp. 42-52, 1945, and 8, pp. 210-14, 1946.
- \*626. DURKHEIM, E. De la division du Travail social. 5th ed. *Paris*, 1926. 416 pp.
627. ENGELS, F. The Origin of the Family, Private Property and the State. 4th ed. Tr. by A. West and D. Torr. *London*, 1940. 216 pp.
628. FORTES, M., and EVANS-PRITCHARD, E. E. (eds.). African Political Systems. *London*, 1940. pp. 29-30, 103-4, 227-8, 249, 250, 262.
- \*\*629. GOADBY, F. M. and DOUKHAN, M. J. The Land Law of Palestine. *Tel Aviv*, 1935. 458 pp.  
An important book for the study of Ottoman Land Law and the evolution of tenures generally
- \*630. HAILEY, Lord. An African Survey. *London*, 1938. pp. 712-878 and 1649-50.

## LAND TENURE

- \*631. HAILEY, Lord. Introduction to C. K. Meek's 'Land Law and Custom in the Colonies'. *London*, 1946. *pp.* ix-xxvi.
- 632. HANCOCK, W. K. Survey of British Commonwealth Affairs. *London*. 2 vols. Vol. I, 673 *pp.*, 1937; Vol. II, Part 1, xi+324 *pp.*, 1940; Part 2, xii+355 *pp.*, 1942.  
     Vol II deals with economic policy and contains much valuable information on land tenure.
- 633. HERSKOVITS, M. J. The Economic Life of Primitive Peoples. *New York and London*, 1939. *pp.* 291-329
- \*634. HOBHOUSE, L. T., WHEELER, G. C., and GINSBERG, M. The Material Culture and Social Institutions of the Simpler Peoples. *London*, 1915. 299 *pp.*  
     Chapter IV, Section IV, deals with Property.
- 635. HOGG, J. E. Registration of Title to Land throughout the Empire. *London*, 1920. xxiii+773 *pp.*
- \*636. HOLDSWORTH, Sir W. S. Historical Introduction to the Land Law *Oxford*, 1927. 339 *pp.*
- 637. JENKS, E. Modern Land Law. *Oxford*, 1899. xlvii+475 *pp.*
- \*638. LEAKE, H. Martin. Land Tenure and Agricultural Production in the Tropics. *Cambridge*, 1927. 139 *pp.*
- \*639. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 9, Nos. 8-12, and 10, Nos. 1-6. 1932-3.
- 640. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, Nos. 5-12, and 16, Nos. 1-3. 1938-9.
- \*\*641. LIVERSAGE, V. Land Tenure in the Colonies. *Cambridge*, 1945. 151 *pp.*
- 642. LOWIE, R. H. Article 'Land Tenure, Primitive Societies'. *Enc. Soc. Sci.* 9, *pp.* 76-7. 1933.
- \*\*643. LUGARD, Sir F. D. The Dual Mandate in British Tropical Africa. 4th ed. *Edinburgh*, 1929. *pp.* 280-353.
- \*\*644. MALINOWSKI, B. Coral Gardens and their Magic. *London*, 1935. 2 vols. xxxv+500 : xxxii+350 *pp.*
- \*\*645. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. xxvi+337 *pp.*
- 646. MEEK, C. K. A Note on Crown Lands in the Colonies. *J. Comp. Leg.* 3rd Series, 28, Pts. III and IV, *pp.* 87-91. 1946.
- 647. NOTES AND QUERIES ON ANTHROPOLOGY. 5th ed. *London*, 1929. *pp.* 160-2.
- \*648. PIM, Sir Alan. Colonial Agricultural Production. *London*, 1946. 190 *pp.*
- 649. PLACE, Godfrey. The Torrens System of Registration of Title as applied to the Uganda Protectorate. *Entebbe*, 1923. 24 *pp.*  
     A simple account of the working of the Torrens System.

## LAND TENURE

650. POLLOCK, F. *The Land Laws*. London, 1896. 233 pp.  
Useful for the study of the history of land tenure.
651. POTTER, H. *The Principles of Land Law under the Land Registration Act, 1925*. London, 1941. vii+121 pp.
- \*652. RADIN, Max. *Social Anthropology*. London, 1932. pp. 107, 116-18.
653. READ, Margaret. *Migrant Labour in Africa and Its Effects on Tribal Life*. *Int. Lab. Rev.* 45, pp. 605-31, 1942.
- \*654. REW, Sir H. Article, 'Land Tenure: Economic and Agrarian Aspects'. *Enc. Brit.* 13, pp. 676-80.
655. SPIEGEL, H. W. *Land Tenure Policies at Home and Abroad*. Chapel Hill, 1943. 171 pp.
656. STEWART-WALLACE, Sir J. S. *Introduction to the Principles of Land Registration*. London, 1937. 93 pp.
657. TORRENS, R. R. *The South Australian System of Conveyancing by Registration of Title*. Adelaide, 1859. 136 pp.
658. WATSON, J. A. *Introduction to Real Property Law*. 2nd ed. London, 1938. xvi+328 pp.
659. WEBB, S. and B. *Soviet Communism. A New Civilisation*. 3rd ed. London, 1944. lii+1007 pp.

### (b) Basutoland

660. HAILEY, Lord. *An African Survey*. London, 1938. pp. 728-9.
661. PIM, Sir Alan. *Report on the Financial and Economic Position of Basutoland*. Cmd. 4907. London, 1935. viii+225 pp.

### (c) Bechuanaland

662. HAILEY, Lord. *An African Survey*. London, 1938. pp. 730-2.
- \*\*663. SCHAPER, I. *Native Land Tenure in the Bechuanaland Protectorate*. Lovedale, 1943. xvi+283 pp.

### (d) Ceylon

664. HAYLEY, F. A. *A Treatise on the Laws and Customs of the Sinhalese*. Colombo, 1923. pp. 218-60.
665. LEAKE, H. Martin. *Studies in Tropical Land Tenure*. *Trop. Ag.* 9, No. 10, pp. 323-5. 1932.
666. LEAKE, H. Martin. *Further Studies in Tropical Land Tenure*. *Trop. Ag.* 15, No. 11, pp. 244-5. 1938.
667. MEEK, C. K. *Land Law and Custom in the Colonies*. London, 1946. pp. 57-61.
668. SELIGMANN, C. G. and B. Z. *The Veddas*. Cambridge, 1911. Chap. V, pp. 106-21.

## LAND TENURE

### (e) Cyprus

The official handbook of Cyprus contains a detailed description of the various kinds of tenure in Cyprus.

669. FISHER, Stanley. *Ottoman Land Law*. London, 1919. 150 pp.

\*670. GOADBY, F. M., and DOUKHAN, M. J. *The Land Law of Palestine*. Tel Aviv, 1935. 458 pp.

Although the law of Cyprus diverged from that of the rest of the Ottoman Empire after 1878, this is much the best account of the history of the Land Law and of the juridical ideas involved.

671. HILMI, OMER. *A Gift to Posterity on the Laws of Evqaf*. Tr. by Sir Charles Tyser and D. G. Demetriades. 2nd ed. revised. Nicosia, 1922. xix+142 pp.

672. HOOPER, C. A. *The Commercial Law of Iraq and Palestine*. Baghdad, 1929. 227 pp.

673. MEEK, C. K. *Land Law and Custom in the Colonies*. London, 1946. pp. 62-71.

674. MEJELLE. *The Ottoman Civil Code, promulgated between 1869 and 1877*. (See No. 321.)

Some parts of the Mejele are essential to an understanding of the Land Law.

675. OAKDEN, Sir R. *Report on the Finances and Economic Resources of Cyprus, 1934*. London, 1935. 178 pp.

676. SURRIDGE, B. J. *A Survey of Rural Life in Cyprus*. Nicosia, 1935. 91 pp.

### (f) Fiji

677. LEAKE, H. Martin. *Studies in Tropical Land Tenure*. *Trop. Ag.* 10, No. 3, pp. 74-9. 1933.

678. LEAKE, H. Martin. *Further Studies in Tropical Land Tenure*. *Trop. Ag.* 16, No. 1, pp. 8-9. 1939.

679. MEEK, C. K. *Land Law and Custom in the Colonies*. London, 1946. pp. 203-11.

680. THOMSON, Basil. *The Fijians*. London, 1908. pp. 354-86.

### (g) The Gambia

681. HAILEY, Lord. *An African Survey*. London, 1938. p. 780.

682. LEAKE, H. Martin. *Studies in Tropical Land Tenure*. *Trop. Ag.* 10, No. 2, p. 53. 1933.

### (h) Gold Coast

\*683. BECKETT, W. H. *Akokoaso—A Survey of a Gold Coast Village*. London, 1944. 95 pp.

684. BECKETT, W. H. *Koransang. A Gold Coast Farm*. Accra, 1945. 24 pp.

## LAND TENURE

- \*685. BELFIELD, Sir H. C. Report on the legislation governing the alienation of native lands in the Gold Coast Colony and Ashanti. Cd. 6278. *London*, 1912. 121 pp.
- 686. CARDINALL, A. W. The Natives of the Northern Territories of the Gold Coast. *London*, n.d. pp. 57-65.
- \*687. DANQUAH, J. B. Akan Laws and Customs and the Akim Abuakwa Constitution. *London*, 1928. x+272 pp.
- \*688. DANQUAH, J. B. Cases in Akan Law: Decisions delivered by Sir Ofori Atta (Paramount Chief of Akim Abuakwa). *London*, 1928. 288 pp.  
Both the above contain much information on land tenure.
- \*689. FORTES, M. The Dynamics of Clanship among the Tallensi. *London*, 3c., 1945. pp. 171-90.
- 690. HAILEY, Lord. An African Survey. *London*, 1938. pp. 775-80 and 856-8.
- 691. HAVERS, C. R. Report of Commission of Inquiry into Expenses incurred by Litigants in the Courts of the Gold Coast and Indebtedness caused thereby. *Accra*, 1945. 47 pp.  
See especially paras. 41, 54, and 61-70.
- 692. HAYFORD, Caseley. Gold Coast Native Institutions. *London*, 1903. pp. 44-62, 194-207, 289-310.
- 693. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 10, No. 1, pp. 13-17. 1933.
- 694. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 12, pp. 271-2. 1938.
- 695. LOVERIDGE, A. J. A Note on the Development of Land Tenure in the Gold Coast. *African Affairs*, 42, pp. 31-3. 1943.
- 696. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 169-94.
- 697. ORMSBY-GORE, Hon. W. G. A. Report on Visit to West Africa during the year 1926. Cmd. 2744. *London*, 1926. pp. 108-9 and 146-9.
- \*698. RATTRAY, R. S. Ashanti Law and Constitution. *Oxford*, 1929. xx+420 pp.
- \*699. REDWAR, H. W. Hayes. Comments on some Ordinances of the Gold Coast Colony, with Notes on a Few Decided Cases. *London*, 1909. 296 pp.  
Has much useful information on the land law of the Gold Coast. See especially pp. 68-81.
- \*700. SARBAH, J. M. Fanti Customary Laws. A brief introduction to the principles of the native laws and customs of the Fanti and Akan districts of the Gold Coast, with a report of some cases thereon decided in the law courts. 2nd ed. *London*, 1904. 317 pp.

## LAND TENURE

701. SHEPARD, C. Y. Report on the Economics of Peasant Agriculture in the Gold Coast. *Gold Coast S. P.*, No. 1 of 1936. 133 pp.
702. SMITH, E. W. The Golden Stool. *London*, 1927. pp. 133-61.

### (i) Kenya

703. BEECH, M. H. Kikuyu System of Land Tenure. *J. Afr. Soc.* 17, pp. 46-59, 136-44. 1917-18.
704. COLONIAL OFFICE. Indians in Kenya. Cmd. 1922. *London*, 1923. 19 pp.
705. HAILEY, Lord. An African Survey. *London*, 1938. pp. 742-55 and 848-51.
706. HAMILTON, Sir R. W. Land Tenure Among the Bantu Wanyika of East Africa. *J. Afr. Soc.* 20, pp. 13-18. 1920-1.
707. HUXLEY, E., and PERHAM, M. Race and Politics in Kenya. *London*, 1944. 247 pp.
708. KENYA. Native Land Tenure in Kikuyu Province: Report of Committee, September, 1929. *Nairobi*, 1929. 72 pp.
709. KENYA. Report of Committee on Native Land Tenure in the North Kavirondo Reserve. *Nairobi*, 1931. 21 pp.
710. KENYA. Report of Select Committee on 'Change of User' Agricultural Land. *Nairobi*, 1933. 4 pp.
711. KENYA. Land Tenure Committee Report, September, 1941. *Nairobi*, 1941. 26 pp.
712. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 9, No. 11, pp. 346-50. 1932.
713. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 9, pp. 195-8. 1938.
714. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 76-99.
715. PARLIAMENTARY PAPERS. Correspondence relating to the Tenure of Land in the East African Protectorate. Cd. 4117. *London*, 1908. 34 pp.
- \*\*716. PARLIAMENTARY PAPERS. Report of the Kenya Land Commission, September 1933. Cmd. 4556. *London*, 1934. 618 pp. Evidence and Memoranda. 3 vols. Col. No. 91. *London*, 1934. xix+3458+vi pp. Summary of Conclusions reached by H. M. Government. Cmd. 4580. *London*, 1934. 8 pp.
717. PHILLIPS, Arthur. Report on Native Tribunals. *Nairobi*, 1945. pp. 284-290.

### (j) Malaya

718. DE MOUBRAY, G. A. de C. Matriarchy in the Malay Peninsula. *London*, 1931. ix+292 pp.

## LAND TENURE

- 719. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 9, No. 10, pp. 320-3. 1932.
- 720. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 11, pp. 243-4. 1938.
- 721. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 32-56.
- 722. TAYLOR, E. N. The Customary Law of Rembau. *Journal of the Malayan Branch, Royal Asiatic Society*, 7, Pt. I, pp. 1-289. 1929.

### (k) *Mauritius*

- 723. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 10, No. 4, pp. 111-13. 1933.
- 724. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 16, No. 1, pp. 9-12. 1939.
- 725. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 201-3.

### (l) *Nigeria*

- 726. CAMERON, Sir D. A Note on Land Tenure in the Yoruba Provinces. *Lagos*, 1933. 8 pp.
- 727. DENNETT, R. E. Nigerian Studies. *London*, 1910. 235 pp.  
Pp. 195-208 deal with the land laws of the Yoruba tribe
- \*728. FORDE, Daryll. Land and Labour in a Cross River Village. *Geog. Journ.* 90, pp. 24-51. 1937.
- \*729. FORDE, Daryll, and SCOTT, Richenda. The Native Economies of Nigeria. *London*, 1946. 312 pp.
- \*730. GREEN, M. M. Land Tenure in an Ibo Village. *London*, 1941. 44 pp.
- 731. HAILEY, Lord. An African Survey. *London*, 1938. pp. 768-74 and 853-6.
- 732. HARRIS, J. S. Papers on the Economic Aspects of Life among the Ozuitem Ibo. *Africa*, 4, pp. 12-23. 1943.
- 733. JOHNSON, S. The History of the Yorubas. *London*, 1921. 684 pp.  
Chapter VII deals with the principles of Yoruba land law.
- 734. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 10, Nos. 1 and 2. pp. 13 and 48-52. 1933.
- 735. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 12, pp. 273-5. 1938.
- \*\*736. LUGARD, Sir F. D. The Dual Mandate in British Tropical Africa. 4th ed. *Edinburgh*, 1929. pp. 280-353.
- 737. MACBRIDE, D. F. H. Land Survey in Kano Emirate. *J. R. Afr. Soc.* 37, pp. 75-91. 1938.

## LAND TENURE

738. MEEK, C. K. *Land Law and Custom in the Colonies. London, 1946. pp. 20-1, 145-68.*
- \*739. NADEL, S. F. *A Black Byzantium. London, 1942. pp. 180-201.*
740. ORR, C. W. J. *The Making of Northern Nigeria. London, 1911. pp. 244-55.*
741. PARLIAMENTARY PAPERS. *Report of the Northern Nigeria Lands Committee. Cd. 5102-3. London, 1910.*
742. PERHAM, M. *Native Administration in Nigeria. London, 1937. xii+404 pp.*  
Chapter 19 deals with land. See also pp. 104-5 and 194-8.
- \*\*743. PRICE, H. L. WARD. *Land Tenure in the Yoruba Provinces. Lagos, 1933. 114 pp.*
744. TEMPLE, C. L. *Native Races and Their Rulers. Cape Town, 1918. pp. 135-65.*

### (m) *Northern Rhodesia*

- \*\*745. GLUCKMAN, Max. *Essays on Lozi Land and Royal Property. Rhodes-Livingstone Paper No. 10. Livingstone, 1943. 99 pp.*
746. GLUCKMAN, Max. *Studies in African Land Tenure. African Studies, 3, No. 1, pp. 14-21. 1944.*
747. GLUCKMAN, Max. *African Land Tenure. Rhodes-Livingstone Journal, 3, pp. 1-12. June 1945.*
748. HAILEY, Lord. *An African Survey. London, 1938. pp. 738-42 and 847.*
749. MEEK, C. K. *Land Law and Custom in the Colonies. London, 1946. pp. 120-30.*
750. NORTHERN RHODESIA. *Report of the Land Tenure Committee. Lusaka, 1943. 24 pp.*
751. PIM, Sir Alan and MILLIGAN, S. *Report of the Commission to enquire into the financial and economic position of Northern Rhodesia. Col. No. 145. London, 1938. xi+394 pp.*  
See especially pp. 56-73.
752. RICHARDS, A. I. *Land, Labour and Diet in Northern Rhodesia. London, 1939. 415 pp.*  
See especially pp. 228-76.
753. TRAPNELL, C. G., and CLOTHIER, J. N. *The Soils, Vegetation, and Agricultural Systems of North-Western Rhodesia. Report of the Ecological Survey. Lusaka, 1937. x+81+v pp.*
754. TRAPNELL, C. G. *The Soils, Vegetation and Agriculture of North-Eastern Rhodesia. Report of the Ecological Survey. Lusaka, 1943. 111 pp.*

## LAND TENURE

### (n) *Nyasaland*

- \*755. ABRAHAM, Sir S. Land Commission, 1946. Vol. I. Report. *Zomba*, 1947. pp. 27-9.
- 756. COLONIAL OFFICE. Report of the Commission Appointed to Enquire into the Financial Position and Further Development of Nyasaland. Col. No. 152. *London*, 1938. 349 pp.
- 757. HAILEY, Lord. An African Survey. *London*, 1938. pp. 755-9.
- 758. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 9, No. 12, pp. 375-6. 1932.
- 759. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 10, pp. 229-30. 1938.
- 760. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 115-19.

### (o) *Sierra Leone*

- 761. GODDARD, T. N. The Handbook of Sierra Leone. *London*, 1925. pp. 82-93.
- 762. HAILEY, Lord. An African Survey. *London*, 1938. pp. 780-2.
- 763. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 10, No. 2, pp. 52-3. 1933.
- 764. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 12, p. 275. 1938.
- 765. THOMAS, N. W. Anthropological Report on Sierra Leone. Part I, Law and Customs of the Timne and other Tribes. *London*, 1916. 196 pp.

### (p) *South Africa*

For South African material dealing with land see 'Select Bibliography of South African Native Life and Problems', ed. I. Schapera. *London*, 1941. pp. 165-8.

- 766. HAILEY, Lord. An African Survey. *London*, 1938. pp. 718-28 and 842-6.
- \*767. ROGERS, H. Native Administration in the Union of South Africa. *Johannesburg*, 1933. pp. 111-71.
- 768. UNION OF SOUTH AFRICA. Report of the Native Economic Commission. U.G. 22. *Pretoria*, 1932. 345 pp.

### (q) *Tanganyika*

- 769. BAKER, E. C. Report on the Social and Economic Conditions of the Tanga Province (Tanganyika). *Dar es Salaam*, 1934. 120 pp.
  - \*770. CORY, H., and HARTNOLL, M. M. Customary Law of the Haya Tribe (Tanganyika). *London*, 1945. 299 pp.
- See especially pp. 113-59, 188, and 219.

## LAND TENURE

- \*771. CULWICK, A. T. and G. M. Ubena of the Rivers. *London*, 1935. p. 236 et seq.
- \*772. DUNDAS, C. Native Laws of Some Bantu Tribes of East Africa. *J. R. Anthropol. Inst.* 51, pp. 217-78. 1921.  
Includes an important section on land tenure.
- \*773. GUTMANN, B. Das Recht der Dschagga. *Munich*, 1928. 778 pp.  
Chap. II, pp. 302-490, deals with rights over land.
- 774. HAILEY, Lord. An African Survey. *London*, 1938. pp. 763-8 and 847-8.
- 775. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 9, No. 12, pp. 375-6. 1932.
- 776. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 10, pp. 228-9. 1938.
- 777. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 100-14.
- 778. SAYERS, G. F. The Handbook of Tanganyika. *London*, 1930. 636 pp.  
Contains an important chapter on land tenure.
- \*779. WILSON, Godfrey. The Land Rights of Individuals among the Nyakyusa. Rhodes-Livingstone Paper No. 1. *Livingstone*, 1938. 52 pp.

### (r) *Tonga*

- 780. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 212-16.

### (s) *Uganda*

- 781. HAILEY, Lord. An African Survey. *London*, 1938. pp. 759-63 and 851-2.
- 782. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 9, No. 12, pp. 371-5. 1932.
- 783. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 10. pp. 227-8. 1938.
- 784. MAIR, L. P. An African People in the Twentieth Century. *London*, 1934. xv+300 pp.
- \*785. MAIR, L. P. Native Land Tenure in East Africa. *Africa*, 4, pp. 314-29. 1931.
- 786. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 134-44.
- 787. THOMAS, H. B., and SCOTT, R. Uganda. *London*, 1935. 559 pp.  
Chapter VI, pp. 98-111, deals with land tenure.
- \*788. THOMAS, H. B., and SPENCER, A. E. Uganda Land and Surveys. *Entebbe*, 1938. 206 pp.

## LAND TENURE

789. TOTHILL, J. D., and others. Part I. A Report on Nineteen Surveys Done in Small Agricultural Areas in Uganda with a view to Ascertaining the Position with regard to Soil Deterioration, by J. D. Tothill. Part 2, Fifteen Agricultural Surveys selected from the above, by Members of the Agricultural Department. *Entebbe*, 1938. 191 pp.
790. UGANDA. Enquiry into the Grievances of the Mukama and people of Toro. Report of the Committee. *Entebbe*, 1926. 23 pp.
791. UGANDA. Enquiry into Land Tenure and the Kibanja System in Bunyoro, 1931. Report of the Committee. *Entebbe*, 1932. 38 pp.

### (t) *West Indies*

792. COLONIAL OFFICE. Agriculture in the West Indies. Col. No. 182. *London*, 1942. vi+280 pp.
793. ENGLENDOW, F. L. West Indies Royal Commission, 1938. Report on Agriculture, Fisheries, Forestry and Veterinary Matters. Cmd. 6608. *London*, 1945. vii+235 pp.
794. LEAKE, H. Martin. Studies in Tropical Land Tenure. *Trop. Ag.* 9, No. 9, pp. 272-6. 1932.
795. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, Nos. 7 and 8, pp. 163-5, 175-8. 1938.
796. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 217-29.
797. PARLIAMENTARY PAPERS. West India Royal Commission Report, 1938. (MOYNE, LORD, Ch.) Cmd. 6607. *London*, 1945. 483 pp.

### (u) *Zanzibar*

798. BARTLETT, C. A., and LAST, S. S. Report on the Indebtedness of the Agricultural Classes, 1933. *Zanzibar*, 1934. 36 pp.
799. LEAKE, H. Martin. Further Studies in Tropical Land Tenure. *Trop. Ag.* 15, No. 10, pp. 230-2. 1938.
800. MEEK, C. K. Land Law and Custom in the Colonies. *London*, 1946. pp. 72-5.

### (v) *Miscellaneous Areas*

- \*801. FIRTH, Raymond. Primitive Economics of the New Zealand Maori. *London*, 1929. Chapter XI, pp. 360-85.
- \*802. FIRTH, Raymond. We, the Tikopia. *London*, 1936. Chap. XI, pp. 373-407.
803. FIRTH, Raymond. Primitive Polynesian Economy. *London*, 1939. xi+387 pp.
- \*804. FURNIVALL, J. S. Netherlands India, *Cambridge*, 1939. 502 pp.  
See especially Chapters VII and X.

# LAND TENURE

805. HOGGIN, H. I. Experiments in Civilization. *London*, 1939. xvii+268 pp.
806. MALINOWSKI, B. The Family Among the Australian Aborigines. *London*, 1913. pp. 134-57.
- \*807. MALINOWSKI, B. Argonauts of the Western Pacific. *London*, 1932. xxxi+527 pp.
808. MAUGHAM, R. C. F. Native Land Tenure in the Timbuktu Districts. *J. Afr. Soc.* 23, pp. 125-30. 1923-4.
809. NADEL, S. F. Land Tenure on the Eritrean Plateau. *Africa*, 16, pp. 1-22 and 99-109. 1946.
810. RADCLIFFE-BROWN, A. R. The Andaman Islanders. Revised ed. *Cambridge*, 1933. pp. 29-30 and 41.
811. RUXTON, F. H. Memorandum on Land Tenure in French West Africa. *J. Afr. Soc.* 10, pp. 258-73. 1911.
812. SARAWAK GAZETTE. Article 'Land and Custom'. pp. 56-8 and 78-80. 1947.
813. TESSMANN, S. Die Pangwe. Volkerkundliche Monographie eines westafrikanischen Negerstammes. *Berlin*, 1913. 2 vols. 275: 402 pp.

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